

Labor Advisory Board Meeting Minutes
January 10, 2024
Chicago, IL

- Chairwoman Cherita Ellens called the meeting to order at 1:06pm and requested Secretary Sophia Zaman to call the roll. In attendance are:
 - Cherita Ellens – in person
 - Sophia Zaman – in person
 - Alec Laird – virtual
 - Jerry Womick – virtual
 - Mike Newman – in person
 - Scott Cruz – in person
 - Steven Avalos – in person
 - Pam Monetti – virtual
 - Marisa Richards – in person
 - Anthony Alfano – in person
 - Stacey J Brown – virtual
 - Tim Drea – in person
 - Karen Harris – in person
- Additional IDOL staff participants include:
 - IDOL Director Jane Flanagan
 - Elizabeth Guerrero, Director of External Affairs & Community Affairs
 - Margaret Decker, Chief of Staff
 - Ganapathi Ramaswamy, Deputy General Counsel
 - Lydia Colunga-Merchant, Leave Rights Division Manager
 - Anna Koepel, Legislative & Policy Director
 - Jason Keller, Assistant Director

1. Review and approve minutes
 - a. Discussion: amend September 26, 2023 meeting minutes to amend the spelling of Marisa Richards' name
 - b. Motion to approve minutes as amended
 - i. Motion by Tim Drea
 - ii. Seconded by Anthony Alfano
 - iii. Motion carries
2. Director Flanagan presentation
 - a. 2023 Priority 1: get the agency to sustainable staffing levels given the increased statutory responsibilities
 - i. FY22 had 86 staff for 25 laws enforced and in FY24 will have 117 staff with 28 laws enforced
 - ii. Mike Newman – it's very impressive to get to these staffing levels, no other agencies are staffed at this level
 - b. 2023 Priority 2: promote community engagement, compliance assistance, and equitable delivery of services

- i. Created the role of Director of External Affairs and Community Engagement
- ii. Updated the website with a focus on ensuring on resources and documents are translated in multiple languages
 - 1. Scott Cruz: I have a client that has many French speaking workers, could the latest IDOL poster be translated?
 - 2. Director Flanagan: digital materials are automatically translated, but if there is a specific need we can accommodate requests via state master contract for translation services
- iii. Monthly trainings for small biz – 35 on equal pay registraion
- iv. Added optional demographic collection to wage claim forms to understand better who's filing complaints and experience violations
- c. 2023 Priority 3: Increase strategic enforcement
 - i. Created an intake unit to triage wage claims and created voluntary resolution unit for small wage claims to free up resources for more strategic enforcement
 - 1. Partnered with IL Board of ED via social/emotional support teams in schools to train them on child labor laws & flags to look for to identify exploitation
- d. 2023 Priority 4: Leverage grant opportunities
 - i. USDOL grant with Chicago Women in Trades – state/federal funding to ensure women are getting into infrastructure careers and staying in those jobs (increased focus on retention)
 - ii. Created a Chief Data Officer – first time hiring a data person who can help track information to manage resources and capacity
- e. 2024 Priorities
 - i. Paid Leave Implementation
 - 1. Hired a Division Manager and will hire a team to implement the law with a focus on compliance assistance and ensuring workers are aware of their rights
 - a. Already conducted 10 webinars, will also plan FB lives, one-on-one with community stakeholders, and specialized trainings as requested
 - b. Anthony Alfano: I attended one of the webinars thought it was a great introduction and asked my staff to watch
 - c. Secretary Zaman: will FB lives also be offered in multiple languages?
 - d. Scott Cruz: materials are needed to clarify what employers are not required to do so we aren't inundated with threats about non-compliance; there is a lot of confusion among labor and business
 - e. Anthony Alfano: the FAQ provides examples of the exceptions to the law
 - f. Chairwoman Ellens: Women Employed will create a comparison chart for differences between state, county,

and city leave to understand the differences and when the state law takes precedent

- g. Karen Harris: hospitals also need resources about how all the laws interact; also conflicts with fair workweek – when one employee requests a schedule change via fair workweek and another employee is assigned to work, creates vulnerability to violation of paid leave; employers need guidance and grace
 - h. Steven Avalos: At what point can the state supercede?
 - i. Chairwoman Ellens: can't because of homerule, but also because the state takes so long to pass progressive policy, makes cities like Chicago wait
 - j. Karen Harris: we also cannot have laws that directly conflict and make employers liable to violations
 - k. Tim Drea: we've had similar conversations in the AFL-CIO, pre-emption drives down working conditions
 - l. Karen Harris: while we are in implementation phase, we need to be aware there are some conflicts and be prepared to smooth out in rulemaking
 - m. Anna Koepel: there may be specific instances where based on the unique facts there's confusion about jurisdiction, but one thing is clear, no one in the state should be out of coverage from a paid leave benefit
- ii. Equal pay data analysis
 - 1. Entering an intergovernmental contract with University of Illinois to conduct analysis while also developing internal capacity for data collection
 - iii. Salary Transparency bill implementation
 - 1. Law will go into effect in 2025
 - 2. Karen Harris: there are also issues of employee confusion about top of salary range which is contingent on qualifications and experience
 - 3. Chairwoman Ellens: the law does not require employers to offer the top of the salary range, they can add "commensurate with experience"
 - 4. Karen Harris: still employees naturally assume or hope for the top of the range and makes employers look like the bad guy so some clarification about this from the state would help with managing expectations
 - iv. Community outreach grant and efforts to fight labor trafficking
 - 1. Partnering with IL Coalition for Immigrant and Refugee Rights to do outreach among migrants and refugees about labor exploitation and trafficking
 - v. IL Workforce Investment Board
 - 1. Director Flanagan will sit on the board; the board is focused on job training and workforce development

2. American Job Centers and workforce staff can be educated about employment laws and workers rights as another resource for employees
 - vi. Additional Objectives:
 1. Improve IDOL's use of data to educate the public and focus enforcement
 2. Update department structures and processes to support core workflows
 3. Continue to strengthen enforcement outcomes including by adding a mediator for voluntary resolution
 - a. Previously collaborated with Center for Conflict Resolution for pilot mediation
 - vii. Scott Cruz: it would be helpful to post the updated FAQs on the IDOL LinkedIn Page & let people know it exists in community outreach
 - viii. Director Flanagan: working to create a quarterly newsletter to post to website and socials that includes latest updates
3. Paid Leave Implementation
 - a. Public comment has closed for paid leave & IDOL is in the process of synthesizing feedback and will publish on 2nd notice shortly
 - b. Scott Cruz: what's the process?
 - c. Anna: public comment period by law lasts for 45 days; once we publish on 2nd notice, then rules get added to next JCAR meeting; if there's not JCAR objections, then IDOL would be free to adopt the 2nd draft
 - d. Scott Cruz: are people who provided public comment notified once rules are adopted?
 - e. Karen Harris: you can follow the Illinois Register, which comes out every Friday to see if the rules have published
 - f. Anna Koepel: you can also check the Flynn Report
 4. IDTLSA Implementation
 - a. When the law passed had an immediate effective date so in an effort to be responsive, IDOL adopted emergency rules around the amendments
 - b. Those emergency rules have expired, but in the meantime there have been further amendments to IDTLSA that push back effective date for equal pay components to April 2024. Additionally, Staffing Services Association filed a lawsuit.
 - c. Proposed permanent rules were published on 1st notice; that period has closed and now synthesizing public comment; however given the other moving parts staff are discussing internally about when to publish on 2nd
 - d. Chairwoman Ellens: what happens if there are compliance issues during this in-between period when we don't have permanent rules?
 - e. Director Flanagan: IDOL still enforces the law based on the language of the statute
 - f. Chairwoman Ellens: are you handling outreach and education about the new law differently?

- g. Director Flanagan: IDTLISA has been on the books for a very long time and temp agencies have been registered; when the law took effect we sent a letter to all registered agencies informing them of the changes in the law
- 5. IDOL Outreach and Education
 - a. Jason Keller: posted RFQ for paid leave advertising on social media and radio ads to allow for targeted outreach
- 6. Public Comment:
 - a. No public comment
- 7. Job Openings
 - a. Chief Ride Inspector is open and posted on state jobs board
 - i. Must be an engineer, based in Springfield
- 8. Next meeting:
 - a. AFL-CIO will host April Meeting in Springfield and Secretary Zaman will send doodle poll to narrow down dates and we will aim to calendar for the next 2 meetings through the end of year to hold the time before everyone's calendars fill up
- 9. Adjournment
 - a. Motion to adjourn made by Karen Harris and seconded by Scott Cruz
 - b. Motion carries and meeting is adjourned at 2:16pm