




## Notice 2021.03 General Services

To: Agency Procurement Staff  
Central Management Services Bureau of Strategic Sourcing  
State Purchasing Officers

From: Ellen H. Daley 

Date: November 25, 2020

Subject: Employment of Illinois Workers on Public Works

CC: Procurement Compliance Monitors  
Procurement Policy Board

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Effective immediately.

Since July 1, 2020, the State of Illinois has been in a period of excessive unemployment rates caused by the ongoing COVID-19 pandemic. This is a reminder that the Employment of Illinois Workers on Public Works Act (30 ILCS 570) requires in this period of excessive unemployment that State contractors (1) constructing or building any public works or (2) cleaning-up and disposing on-site of hazardous waste, and that clean-up or on-site disposal is funded or financed in whole or in part with State funds or funds administered by the State, employ at least 90% Illinois laborers on such project. The Illinois Department of Labor administers the Act, which was enacted to alleviate unemployment in Illinois by ensuring that most workers on public works projects live in the state.

The Act defines a period of excessive unemployment rates as any month immediately following two consecutive calendar months during which the State unemployment rate exceeds 5%. To understand the details of the Employment of Illinois Workers on Public Works Act, please read it in its entirety:  
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=549&ChapterID=7>.

Agencies shall use the language below in agency supplemental terms and conditions in their public works solicitations and contracts to inform vendors of this requirement.

**EMPLOYMENT OF PUBLIC WORKERS ON PUBLIC WORKS:** In a period of excessive unemployment rates, State contractors (1) constructing or building any public works or (2) cleaning-up and disposing on-site of hazardous waste, and that clean-up or on-site disposal is funded or financed in whole or in part with State funds or funds administered by the State, are required to employ at least 90% Illinois laborers on such project. For projects involving clean-up and on-site disposal of hazardous waste, emergency response or immediate removal activities are excluded. This requirement applies to all labor whether skilled, semi-skilled or unskilled, whether manual or non-manual.



# CHIEF PROCUREMENT OFFICE

Ellen H. Daley, General Services

A period of excessive unemployment rates is defined as any month immediately following two consecutive calendar months during which the level of unemployment in the State of Illinois has exceeded 5% as measured by the United States Bureau of Labor Statistics in its monthly publication of employment and unemployment figures.

Any public works project financed in whole or in part by federal funds administered by the State of Illinois is covered under the provisions of this requirement, to the extent permitted by any applicable federal law or regulation. 30 ILCS 570.

Contractors may receive an exception from this requirement by submitting a request and supporting documents certifying that Illinois laborers are either not available or are incapable of performing the particular type of work involved. The certification must: (a) be submitted to the agency within the first quarter of the Contract Term; (b) provide sufficient support that demonstrates the exception is met; (c) be signed by an authorized signatory of the contractor; and (d) be approved by the agency.

If you have questions regarding this notice, please contact your State Purchasing Officer or the Chief Procurement Office at (217) 558-2231.

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