

Illinois Lawmakers Put Right of Workers to Unionize, Engage in Collective Bargaining on 2022 Ballot

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June 17, 2021

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If passed by voters in November 2022, an amendment to the Illinois Constitution would preclude the State of Illinois and any local governmental entity from passing a “right-to-work” law, establishing a fundamental right of employees to unionize and engage in collective bargaining.

On May 26, 2021, the Illinois General Assembly passed a joint resolution to place the constitutional amendment on the ballot. The proposed amendment would modify the Illinois Constitution to recognize a “fundamental right to organize and to bargain collectively through representatives of their choosing.” It also would prohibit the passage of any law that:

interferes with, negates, or diminishes the right of employees to organize and bargain collectively over their wages, hours, and other terms and conditions of employment and work place safety, including any law or ordinance that prohibits the execution or application of agreements between employers and labor organizations that represent employees requiring membership in an organization as a condition of employment.

Passage of the proposed Constitutional amendment would require a majority of those who vote in the November 2022 election to vote in favor of the proposed amendment or 60 percent of those who vote on the proposed amendment to vote in favor of it.

The proposed amendment is a clear attempt to make the passage of right-to-work laws, which exist in neighboring states (*i.e.*, Indiana, Iowa, Michigan, and Wisconsin), nearly impossible in Illinois.

If you have questions or need assistance about the impact of the proposed amendment or other workplace developments, please reach out to the Jackson Lewis attorney with whom you regularly work.