

**KTJ**KLEIN, THORPE & JENKINS, LTD.  
Attorneys at Law

Newsletter Date

April 15, 2019

**LEGAL ALERT****Illinois Municipalities Prohibited From  
Creating “Right-to-Work” Zones**

On Friday, April 12, 2019, Governor J.B. Pritzker signed into law the “Collective Bargaining Freedom Act,” Public Act 101-003, which prohibits local governments from establishing so-called “right-to-work” zones. A right-to-work zone is an area where private-sector employees can work in union-protected positions without having to join the union or pay union membership dues. Such zones, which would prohibit compulsory union membership and dues payment, were seen by labor advocates as a threat to the strength and stability of private-sector labor unions.

The new Collective Bargaining Freedom Act expressly allows private-sector unions to require union membership and dues-payment as conditions of employment. Under the Act, local governments may not enact laws, ordinances or regulations which restrict the right of private-sector labor unions to require membership and dues from its employees — the Illinois legislature has the exclusive authority to pass any such regulations. The Act provides that any existing law, ordinance, or regulation that prevents private-sector unions from requiring union membership and/or dues-payment is void. Private individuals who are aggrieved by any such law, ordinance, or regulation will have the right to sue the unit of government responsible for the same. The law passed with overwhelming support in both the House and the Senate, and is effective immediately.

**NOTE:** the new law does not affect or otherwise conflict with last year’s landmark Supreme Court decision in *Janus v. AFSCME*, which prohibits *public* sector labor unions from requiring employees to join unions or pay compulsory union fees.

We encourage our clients to contact us to discuss the local impact of the Act and to consult with us before enacting any ordinances or regulations which might affect private-sector union security agreements.

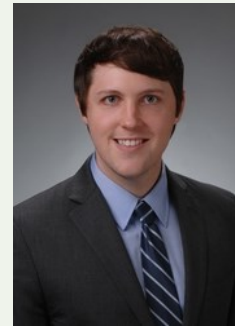
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