

PROPOSED AMENDMENT TO THE ILLINOIS CONSTITUTION

That will be submitted to the voters
November 8, 2022



This pamphlet includes
EXPLANATION OF THE PROPOSED AMENDMENT;
ARGUMENTS IN FAVOR OF THE AMENDMENT;
ARGUMENTS AGAINST THE AMENDMENT;
FORM OF BALLOT

Published by the office of the Secretary of State as set forth
in compliance with the Illinois Constitutional Amendment
Act (5 ILCS 20):

**PROPOSED AMENDMENT
TO ADD SECTION 25 TO ARTICLE I
OF THE ILLINOIS CONSTITUTION**

**That will be submitted to the voters
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***EXPLANATION OF THE PROPOSED AMENDMENT
ARGUMENTS IN FAVOR OF THE AMENDMENT
ARGUMENTS AGAINST THE AMENDMENT
FORM OF BALLOT***

To the Electors of the State of Illinois:

The Illinois Constitution establishes a structure of government and laws for the State of Illinois. There are three ways to initiate change to the Illinois Constitution: (1) a constitutional convention may propose changes to any part; (2) the General Assembly may propose changes to any part; or (3) a petition initiative may propose amendments limited to structural and procedural subjects contained in the Legislative Article. The people of Illinois must approve any changes to the Illinois Constitution before they become effective. The purpose of this document is to inform you of proposed changes to the Illinois Constitution and to provide you with a brief explanation and a summary of the arguments in favor of and in opposition to the proposed amendment.

**PROPOSED AMENDMENT
TO ADD SECTION 25 TO ARTICLE I
OF THE ILLINOIS CONSTITUTION**

**ARTICLE I
BILL OF RIGHTS**

SECTION 25. WORKERS' RIGHTS

(a) Employees shall have the fundamental right to organize and to bargain collectively through representatives of their own choosing for the purpose of negotiating wages, hours, and working conditions, and to protect their economic welfare and safety at work. No law shall be passed 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.

(b) The provisions of this Section are controlling over those of Section 6 of Article VII.

EXPLANATION

The proposed amendment, which takes effect upon approval by the voters, adds Section 25 to the Bill of Rights Article of the Illinois Constitution. The new section will guarantee workers the fundamental right to organize and to bargain collectively and to negotiate safety conditions, wages, hours, working conditions, and economic welfare. The amendment prohibits the passage of any new law within the State that restricts or prohibits workers from engaging in collective bargaining with their employer over wages, hours, and other terms and conditions of employment, like safety protocols or training.

Arguments In Favor of the Proposed Amendment

This amendment will protect workers' and others' safety. That includes guaranteeing nurses' right to put patient care ahead of profit and making sure construction workers can speak up when there's a safety issue. It will protect workers from being silenced when they call attention to food safety threats, shoddy construction, and other problems that could harm Illinoisans. This amendment protects firefighters and EMTs who put their lives on the line to protect Illinoisans. It means they get the training and safety equipment they need to do their jobs, and can speak out when they see a problem without fear of retaliation. This amendment will help our economy by putting more money in workers' pockets who join together and get raises. That will mean more money going into our communities and small businesses as people join the middle class with good-paying jobs.

Arguments Against the Proposed Amendment

A fundamental right provided to all citizens under the First Amendment of the United States Constitution is the right to free speech and freedom of association. This amendment prohibits any law or ordinance that allows union workers to choose whether they wish to be a member of the union or not. Under the 2018 United States Supreme Court decision *Janus v. Illinois AFSCME*, non-union government workers cannot be required to pay union dues as a condition of working in the public sector. Approval of this constitutional amendment will deny that protection to private sector workers. The amendment also states that lawmakers could never "interfere with, negate, or diminish" certain rights. These terms are broad and undefined and leave lawmakers without the ability to clarify through legislation. Our Illinois Constitution provides such protection to public employees. The result of that protection has been to squash efforts by state lawmakers and voters to address Illinois' pension fund deficits.

FORM OF BALLOT

**Proposed Amendment to the 1970 Illinois Constitution
Explanation of Amendment**

The proposed amendment would add a new section to the Bill of Rights Article of the Illinois Constitution that would guarantee workers the fundamental right to organize and to bargain collectively and to negotiate wages, hours, and working conditions, and to promote their economic welfare and safety at work. The new amendment would also prohibit from being passed any new 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 workplace safety. At the general election to be held on November 8, 2022, you will be called upon to decide whether the proposed amendment should become part of the Illinois Constitution.

YES For the proposed addition
----- of Section 25 to Article I
NO of the Illinois Constitution.

**CAPITOL BUILDING
SPRINGFIELD, ILLINOIS
OFFICE OF THE SECRETARY OF STATE**

I, Jesse White, Secretary of the State of Illinois, do hereby certify that the foregoing is a true copy of the Proposed Amendment, the Explanation of the Proposed Amendment, Arguments in Favor of the Amendment and Arguments Against the Amendment and a true copy of the Form of Ballot for this call as the regularly scheduled general election on Tuesday, November 8, 2022, as set forth in compliance with the Illinois Constitutional Amendment Act.



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Illinois, Done in the City of Springfield, this sixth day of September, 2022.

Jesse White

Jesse White
Secretary of State
