



# BUSINESS LEADER

**STRONGER BUSINESS  
STRONGER ILLINOIS**

VOLUME 3 NUMBER 1 MAY 2017



## **THE FUTURE OF U.S. AND CANADA RELATIONS**

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*Al Monaco, CEO  
Enbridge Inc.*

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There a friend started by dieting on Seattle Sutton's Healthy Eating plan, and Janet was inspired. She decided to try the fresh focused program, and she ate her 10 of foods that are rich in healthy alpha-lipoic acid. I'm drinking—and it's taken so long. Janet realized when she stepped on the scale at the end of the first week and saw she was down 10 pounds. And by the end of the first month, she wrote: "I had no more weight. Surprisingly, I felt as if I could fly."

After 18 months, Janet took her first step—and started working on her dream wardrobe. "I'm all in pink. I've only ever dreamed of being," says Janet. "I will no longer spend about myself!"

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# BUSINESS

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Illinois Chamber of Commerce



ILLINOIS CHAMBER OF COMMERCE

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## MAKING ILLINOIS TRANSPORTATION EXPANSION A PRIORITY



**TODD MAISCH  
PRESIDENT AND CEO**

As the Illinois Chamber continues to advocate for pro-growth reforms to help our employers and our economy, it is essential for Illinois to continue to make progress on transportation, transit and energy development.

While the current budget stalemate continues to bring attention to Illinois, we cannot forget to shed light on areas in the state with great potential. Our state's geographic location continues to offer opportunity as a national transportation hub. But we cannot rest on geography alone. For Illinois to fully realize its potential, we need more infrastructure investment throughout the state.

Illinois will benefit from additional airport expansion, railway improvement, road and bridge improvements and waterway updates.

Transportation, and transportation infrastructure investment, is essential to our state's ability to attract the workforce of the future and remain the freight hub of North America. We stand for opportunities to launch efforts for water supply and treatment, utilities, pipelines, power generation, power distribution systems and communications networks. In order for Illinois to operate efficiently and competitively, we constantly need to look at every tool available to address infrastructure needs.

There are current promising signs of advancement in the transportation sector. Voters overwhelmingly approved the Safe Roads constitutional amendment to protect state transportation from budget raids. It is encouraging to see O'Hare International Airport growing and thriving. And energy investment into pipeline projects is expected to rebound.

But there are other opportunities Illinois needs to act on. It is important to explore expansion opportunities that make economic sense. The newly proposed I-55 managed lane project is one of them. We cannot miss these chances to improve the state's infrastructure and pave the way for more growth. If we don't act now, Illinois will continue to lag behind.

And the forecast from the federal government on infrastructure invest-

ment is cloudy, at best. The Administration's America First budget is proposing cuts in transportation funding. While that recommendation is far from being approved, it underscores the importance of Illinois making transportation investment a priority.

In this month's issue of the Illinois Business Leader, we focus on how transportation investment can build a stronger Illinois economy for the long-term.

Kirk Dillard, Chairman of the Regional Transportation Authority, outlines what transit means to Illinois businesses.

Additionally, transit in all regions, from Downstate to northern Illinois, is discussed in this month's issue by five key Chamber of Commerce executives.

Finally, it is our priority to keep an eye out for solutions that will help Illinois' energy industry grow and prosper. This issue also incorporates the latest on energy infrastructure and how working together is the key to success from CEO of Enbridge Al Monaco.

As the state continues to grapple with budget and substantive legislative issues, the Illinois Chamber of Commerce continues to strongly advocate for pro-growth policies. Now it is essential that our state adopts policies that help our employers better compete with those in our neighboring states, and others throughout the country.



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### JUNE 6

12:30 – 5:00 pm

Afternoon tours of coal mine and powerplant at Prairie State Generating Campus, plus St. Louis Freight Assets tour. Evening reception to follow.

### JUNE 7

8:00 am – 3:15 pm

Conference & Expo

Features:

- Role of Federal Government in Resilient Infrastructure
- Role of Businesses in St. Louis for Resilient Infrastructure
- Overview of St. Louis Region Freight and its importance to the North American Freight Network
- Regional Infrastructure Discussion
- Energy Panel Discussion
- More to be announced

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## TRANSIT IMPACTS ON ILLINOIS

*“The real need for continued and enhanced investment in mass transit’s aging capital infrastructure is critical.”*

— Kirk Dillard



For nearly 20 years, Kirk Dillard served as the Republican senator for the 24th District of the Illinois State Senate. He served on the Transportation Committee, was a staunch supporter of mass transit, and was the sponsor of the Secretary of State’s Railroad Safety Initiative, which resulted in a significant drop in grade-crossing fatalities.

He is now the chairman of the Regional Transportation Authority (RTA) Board of Directors. He and the RTA Board oversee the nation’s second-largest public transportation system, which includes CTA, Metra and Pace and serves more than eight million residents in Cook, DuPage, Kane, Lake, McHenry, and Will Counties.

We spoke to Chairman Dillard about his longtime interest in transportation issues, mass transit, and what transit means to businesses in Illinois.

“I have been a long-time transit rider since I was a child, growing up around Wrigley Field, taking the Chicago Transit Authority (CTA) buses and trains to doctor appointments or the grocery store with my grandmothers,” Chairman Dillard says. “I’ve been a Metra rider since law school and I am still one today. I take Metra from the western suburbs to my downtown law office. While in the state Senate, I served on the transportation committee and have always been interested in transportation issues.”

**ILBIZ - We hear a lot about the state of good repair when talking**

**about transportation assets. What does that mean and why should the average person care?**

**DILLARD** – It’s not just a Chicago issue, it’s one for mass transit nationally. The real need for continued and enhanced investment in mass transit’s aging capital infrastructure is critical. While the RTA’s five-year



Kirk Dillard

capital program contains about \$5 billion in capital projects, our latest capital asset condition report suggests we need to be investing more than four times

that amount to address the backlog of unmet capital needs.

Currently, more than 30% of our assets are beyond useful life, and in spite of these challenges, CTA, Metra, and Pace continue to operate in an efficient and cost-effective manner. Our system places first in the number of miles operated between major mechanical failures, a position that we’ve held since 2011.

State of good repair means replacing or restoring our equipment, which can mean tracks or vehicles, within its useful life. There are industry standards that we follow. If we don’t take care of what we have, we face increased maintenance cost, and it leads to, especially with our tough Illinois winters, mechanical issues that delay riders. We just need to maintain what we have to industry standards, and it usually is based on

the useful life of the equipment and keeping up with regular maintenance.

**ILBIZ – We hear a lot about Millennials and younger generations using transit and wanting it to be more of their everyday lives. Do you think there is an opportunity on the other side of the spectrum for baby boomers and older generations to use transit?**

**DILLARD –** Millennials make mass transit a priority. In fact, a few years ago, someone testified to the Indiana General Assembly and said that trying to sell your city to millennials without mass transit is like trying to sell them a phone without a camera. Millennials rely on mass transit and have driven L' ridership to its all-time high, and Metra had its second busiest year ever recently. Then at the other end of the life spectrum, an ever-aging baby boomer and beyond generation is also using mass transit more and more. If you look over the last five or six years, numbers from Pace regarding ADA Paratransit are way up too. We (the RTA region) are facing intense pressure from the millennial generation, which make up about a third of our regional workforce. And, older generations as they rely more and more on ADA paratransit. We are getting pushed by both the younger worker and the more mature Illinoisan front.



**ILBIZ – There have been several studies the last few years, most recently one by Harvard University, that have shown a connection between a lack of transit and stagnated economic mobility. What is the RTA doing to help connect parts of its region that are not currently accessible to transit and helping these everyday Illinoisans take advantage of it?**

**DILLARD –** I'm very familiar with those studies. However, the RTA must take care of what we have in place today. We have a \$19 plus billion backlog of "state of good repair" just to maintain our system today. That being said, we are always looking for ways to make the last mile and conductivity easier. Metra has entered into a marketing partnership with Uber. We have added the innovative and massively successful Bus on Shoulder program from Pace, which runs buses down the middle of the Stevenson Expressway, and that ridership is up five-fold over the last few years. We are about to add Bus on Shoulder on other express-

ways and the tollway. We're always working with local villages on how to move people to and from stations.

I just met Innova, company that has small driverless cars which they want to place at train stations to pick up commuters near your home or work and bring you to the local train stations. We are always watching changing technology to make it more convenient for our riders.

**ILBIZ – Every few weeks, it seems like there is another article about how driverless vehicles or ride-sharing is going to replace transit. What are your thoughts about that?**

**DILLARD –** We view Uber, Lyft, and new technology which includes the blue rental Divvy bicycles in Chicago, as partners with mass transit. We are always looking to close the last mile or to loop in our mass transit system. For example, Metra just entered into a formal marketing partnership with Uber. So, if you take the train and get off in Naperville but still have a couple of miles to go

*“We congratulate the Illinois Chamber and other groups on the passage of the Safe Roads Amendment. Now we need to pass a state infrastructure or capital bill to support stable, dedicated funding towards RTA’s capital program.”*

— Kirk Dillard

to your meeting or corporate headquarters, you can have a ride hailing or sharing company waiting for you when you arrive to take you the last part of your trip.

**ILBIZ – You were a big supporter of the Safe Roads Amendment, an initiative of the Illinois Chamber of Commerce. Now that it has been approved by over 79% of everyday Illinoisans, what do you think are the next steps? How can state and local governments work with RTA to improve transit?**

**DILLARD** – We congratulate the Illinois Chamber and other groups on the passage of the Safe Roads Amendment. Now we need to pass a state infrastructure or capital bill to support stable, dedicated funding towards RTA’s capital program. We don’t have any state money in our current capital program unlike other states, which are investing heavily in mass transit and, as you know, there hasn’t been a capital plan at the state level since 2009. When I say other states I mean states that compete with Illinois for jobs like Texas and Washington. Closer to home, Indianapolis has a renewed focus on investing in mass transit, and it is an initiative of the Indianapolis Chamber and the mayor of Indianapolis to improve for that ever-growing millennial work for mass transit.

We need to ride the Safe Roads Amendment toward trying to pass a significant capital or infrastructure bill for Illinois. Our infrastructure is crumbling, and we need to rebuild it in Illinois. In mass transit, for every

dollar that is invested, there is a \$4 private sector return. The Morgan Street CTA ‘L’ station in Chicago’s West Loop, which serves the Green and Pink lines, is a clear example of the link between transit investment and economic development. Three years after the station opened, the number of business licenses issued within a half-mile of the station jumped 13%. Additionally, the modernization and improvements to stations along the Brown Line brought dramatic economic results. Median home values near the Brown Line grew over 40%; after 2010, 15% of all City of Chicago new construction building permits were issued near Brown Line stations; and ridership along the Brown Line grew 45%.

**ILBIZ – President Trump and the U.S. Congress have made infrastructure investment a priority. What would you like to see from Washington D.C. to help the RTA?**

**DILLARD** – Our top priorities are what we call the RPM project, which is modernization of the CTA’s Red and Purple Lines, along with the Your New Blue initiative. The CTA Blue Line is the line that runs from O’Hare through downtown Chicago and then back out to the western suburbs.

For Pace, new buses and facilities to support the Pace Pulse Express Services, and for Metra, Congress has placed a several hundred million dollar unfunded mandate on Metra, known as Positive Train Control. We would like to see some funding there, rather than just having to eat the





\$300 million, which clearly impedes our ability to buy new equipment especially railcars.

*ILBIZ – A few weeks ago, a list of the 50 most important projects to the*

*US were released and the CTA was included. What does your top list of transit or other transportation projects in the Chicago region include?*

**DILLARD** – Rumor has it, and that's good, that President Trump has RPM on his list. That's a multi-billion dollar project for Chicago. The red line is the lifeblood, one of the most important arteries of Chicago. Also hopefully on President Trump's list is the modernization of Union Station, which is about \$1 billion. If Chicago is going to be the transportation hub of the U.S., Union Station needs to be upgraded from its 1920's infrastructure to today's modern needs. Surprisingly, more people go through Union Station every day than through Midway Airport. Studies show that if you do a \$1 billion renovation of Union Station, you could do between \$4-7 billion in private sector economic development on the near west side.

*ILBIZ – People tend to view transit in Illinois as strictly a City of Chicago thing, that is, they use it to go downtown in the morning and back to the suburbs at night. Do you think this is true? What opportunities do you and the RTA see for expanding transit beyond the*

*spoke and wheel system that drives it today?*

**DILLARD** – Someone in Cairo or Carbondale has a vital interest in making Chicago mass transit operate well. Last year, for the third year in a row, Chicago was ranked number one in the country for corporate relocations and expansions by *Site Selection Magazine*. More than 40 companies have moved their headquarters to Chicago in the past six years. That helps put money into the general fund program for schools in downstate and rural Illinois.

Mass transit moves more than two million riders a day in Illinois. Downstate Illinois does not want to have to compete against metropolitan Chicago area for more road and bridge money when mass transit is a cheaper way to move millions of folks daily. There is more money available for downstate communities for roads and bridges because mass transit is cheaper than if suddenly all of the legislators from metro area start needing more money for highways. If the Metra stopped running, they would need 27 lanes of expressway to move the passengers, meaning less money for downstate highways and roads. So, it is in downstate

Illinois' interest economically and on available infrastructure dollars to be supporting mass transit for Chicago.

## WHAT CHAMBER EXECS HAVE TO SAY ABOUT TRANSIT

Transit is an issue for all communities across Illinois independent on size and urbanity. We spoke with five Chamber of Commerce executives throughout the state to get their point of view on transit and how it affects their region and businesses in their areas.

**TARA BARNEY**, president and CEO of Quad Cities Chamber of Commerce, says transit is a critical part of their infrastructure.

“We are a pretty large region with some pretty significant employment concentrations,” Tara says. “So our transit system has to be able to move among two states, move among many cities, and it is primarily used for the community to get to and from work. We are active partners with our transit bus system. We have other elements of transit in the region. The Quad Cities is a big user of ride

## WHAT CHAMBER EXECS HAVE TO SAY ABOUT TRANSIT



Tara Barney

*The Quad Cities is a unique situation with members and businesses being on two sides of a river in two different states. “That was actually a bit of a challenge a few years ago because Metra Link actively served the Illinois quad cities and people would have to make changes to move across the river,” Tara says. “Metra Link now coordinates all of the buses throughout our region and with available technology, it is a much more fluid system. They are moving back and forth across the river. They are great partners with all of the cities in the region, so it’s become much more of a unified system.”*

sharing services especially in our weekend and younger population. We are planning for a rail connection to Chicago next year. For now, our single biggest transit partner is our bus system, Metrolink.”

**LES O’DELL**, Executive Director of Carbondale Chamber of Commerce, says transportation is always a huge concern for their area since they are an urban area surrounded by a very rural area.

“The number of folks who come into Carbondale daily for school, for medical care, for work, etc. is just enormous,” Les says. “Allowing all of the regional bus systems, Amtrak, Greyhound, everybody to have one central location to embark and disembark can be unbelievably important to us.”

**EINAR FORSMAN**, president and CEO of Rockford Chamber of Commerce, notes that transit is so important to facilitate going to and from work, as well as helping consumers who have limited means of transportation to be able to take care of their shopping and other needs as well.

“The means of transit in our area is the Rockford Mass Transit District, which has been organized for many years,” Einar says. “Then there is an associated transit organization for people with disabilities as well, then to some degree there are organizations that help with seniors.”

**TAMRYN HENNESSY**, Program Director for Greater Oak Brook Chamber of Commerce, agrees that a strong transit system helps strength-

en their community’s ability to attract and retain businesses and a talented workforce.

“We are just kicking off a new transit project that has been in development for several years,” Tamryn says. “Our partners for the project, the RTA (Regional Transit Authority) and Pace Suburban Bus, are working with us to set up an employee shuttle that will run from the Elmhurst or Hinsdale train station along a designated route to a dense commercial area near Commerce Drive in Oak Brook.”

Bloomington-Normal is in the process of undergoing a comprehensive plan, which includes their multi-modal center.

“This is a big moment of transition for our transit system,” **JENNIFER SICKS**, AICP Transportation Planner at Mclean County Regional Planning Commission says. “The transit system has spent a lot of time working with local companies, starting with State Farm to promote interest in transit as a method to get to work. The idea is that using transit and automating their own shuttle service would help reduce congestion on their corporate campus and on that side of town. Then, it will continue with businesses of smaller and smaller sizes to move people to transit. The multimodal center is just one part of a much larger redevelopment project that Normal is undergoing, but a very important part of it.”

Carbondale is also working to develop their own multimodal center. Their current Amtrak system was

built in 1981 and is sorely in need of upgrade.

“The station was designed to handle ridership way under what we currently have,” Les says. “In 2014, we had more than 137 thousand Amtrak riders pass through that station. We are talking about three times daily trips to Chicago, once a day service to New Orleans and points in between. We have far outgrown the existing facility just from serving Amtrak. But add in all the other transportation services, Greyhound, regional bus services, all that serve the downtown and we don’t have a facility that meets those needs. We are optimistic that at some point, we will be able to build a brand new multi-modal transportation center that will serve the needs of our passengers. Realizing that a large percentage of the passengers are students and families for SIU (Southern Illinois University), it helps to benefit the university, which is a big economic dimension in our community. That need will not go away, it just continues to grow through time.”

One of the biggest challenges for every area in Illinois is business coordinating with transit. For the Quad Cities area, the workforce concentration area is very large, and then they have a broadly dispersed secondary region.

“The biggest challenge is lining up work commuter arrival time and service,” Tara says. “It’s a tough one. Where we have great concentrations, it works well. Rock Island Arsenal, for example, is one of our largest



employers and is right in the middle of our region. Metra Link has been an extraordinary partner with the Arsenal in running service where there is a high demand morning and afternoon. They also meet monthly with the arsenal shifts and all new hires to make sure they understand the transit options. I think that’s a cool service that they provide the Arsenal and other major employers as well.”

Awareness is an issue all over the state outside of Chicago. Understanding why mass transit exists and how it serves a community is difficult in many ways.

“Rockford is not like Chicago where the use and acceptance of mass transit is ‘built into their makeup,’” Einar says. “For us, transit is used by millennials as an alternate means of transportation. Rockford is more of a car city. There is not the kind of congestion like you get in Chicago. We are sometimes blind to how our people are getting to and from work. Funding limitation has certainly been a concern to limit the ability for our transit system to grow.”



Les O'Dell

*“People often think ‘well of course there’s transit! There’s a university!’ Les says. “Carbondale is the retail and service hub for the region. Our daytime population is nearly twice our nightly population just from the number of people who come here to work, shop, dine or go to school. We are the healthcare location for many counties in southern Illinois. Getting those individuals from rural parts of Union County or Perry County access to Carbondale and the healthcare services, educational services, that’s hugely important. Many times, those folks do not have transportation of their own or cannot drive due to their age. The need for transit service and mass transit is phenomenal here.”*

## CITIES AROUND THE STATE PROVIDE OPTIONS TO AUTOS



Tamryn Hennessy

*“The best asset our Chamber and members have to work with transit is our strong business leadership. That includes young business leaders, ready to work with government to solve suburban transit challenges.”*

*Einar Forsman – Rockford is in a great location as a springboard west from Illinois and east to Chicago. They are working hard to get passenger rail into their area. “We have been working to reinstate the formal rail line that ended 20 to 30 years ago,” Einar says. “It would be impactful for us to have our citizens go out to Chicago or have Chicago come out to Rockford. Our eventual plan is to connect all the way to Dubuque, Iowa. That will save people a drive in their car and allow them to ride in comfort on their way to Chicago or Dubuque or places in between.”*

The mass transit district base of operations is located in the heart of downtown Rockford and in past years, riders would have to change bus lines when they had to change directions or change routes.

“Over the past ten years, they have added a transfer facility on the far east side near the tollway, which makes that far easier to move passengers,” Einar continues. “That has been effective for making less travel time for passengers and greater access to employers and businesses.”

The student population has grown up with a transit mentality. In some areas of the state, that hasn’t always been easy to utilize.

“We have thousands of summer interns who work with major employers and they assume they can use transit to get around for their summer while they are here,” Tara says. “For a number of years, that wasn’t always the reality. Our transit availability has gotten so much more nimble. These student populations who are here for only a few months and come from all over the world, have expectations set by their experiences elsewhere. The Quad Cities can now measure up to those expectations. It goes from a risk point in the Chamber’s eyes to an asset and an amenity.”

Transit is generally thought of as only for dense cities, not for suburbs. That perspective is quickly changing as cities around the state work hard to provide options to personal autos for their growing commuter ranks.

“Suburban employers continue to work to attract a strong workforce and therefore must ensure desirable transit options for this workforce,” Tamryn says. “Those options must also be connected to urban areas where many of these employees live. As a new talented generation lengthens its tenure living in cities over previous generations, there needs to be ease of transit movement throughout the Chicago region between suburban and urban areas.”

In Mclean County, all of their major employers are located inside the city limits, but many residents live in the surrounding small towns. “We have a congestion problem getting employees to their places of employment in a timely fashion that aren’t as frequently served by transit as others,” Jennifer says. “That is a continuing issue, but the transit board of trustees and other venues are looking into how to address that issue. Any solution will take awhile to implement, not just because of the state budget crisis, but because they would have to go through an administrative voting process to establish a mass transit district, which we are not.”

# WHAT CHANGED IN - THE WORLD - WHILE YOU WERE SLEEPING?

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NPR NEWS

LISTEN EVERY MORNING  
WEEKDAYS 4-9 AM  
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## CLOSER TIES WITH GERMANY

By Aryan Zandieh  
Representative of the State of Niedersachsen

Germany's second largest state by area, Niedersachsen (Lower Saxony) has recently opened their U.S. representation in Chicago, IL with the goal to further strengthen the state's already close ties to the U.S.A. We spoke with Aryan Zandieh, member of our International Business Council Advisory board who heads up the Niedersachsen division at Hannover Fairs U.S.A. about German-American trade expectations, upcoming

projects and what we can expect from the state of Niedersachsen in the near future.

### WHAT IS YOUR TAKE ON THE CURRENT STATE OF TRANSATLANTIC TRADE?

Despite the current rhetoric on transatlantic trade, it is important to keep in mind that the United States is outperforming other developed economies significantly in terms

of FDI attraction.

Whereas total FDI flows to developed countries fell by 9% (or \$872 billion estimated) with Europe alone dropping by 29%, the U.S.A. remained the largest FDI recipient with \$385 billion in 2016. We are convinced that our U.S.A. Partner Country project with President Obama and Secretary Pritzker leading the largest-ever U.S. delegation with more than 230 U.S. companies and research institutions along with 39 economic development organiza-

tions from 30 states to the largest industrial trade show HANNOVER MESSE 2016 in our state of Niedersachsen, contributed significantly to this success. Furthermore, we



*"Aryan Zandieh, Representative of the State of Niedersachsen is awarded with the Saxon Steed, the state's highest award for economic development achievements" from left: German Consul General Herbert Quelle, Mark Tomkins, President GACC Midwest, Deputy Governor of Illinois Leslie Munger, Aryan Zandieh US Representative of the Federal State of Niedersachsen, Olaf Lies, Minister of Economics, Labor and Transportation and Volkswagen Board of Directors, Larry Turner, President Hannover Fairs USA*

continue to organize executive level trade missions such as the aerospace delegation which represented the largest European group participation of 23 companies from Germany, France, Spain and U.K. spearheaded by our U.S.A. representation and our aviation cluster organization Niedersachsen-Aviation.

Our next FDI promotion project will be an automotive and industrial software focused delegation of almost 60 executive level reps from tier 1 and 2 suppliers from Niedersachsen as well as our state minister of economics exploring investment opportunities in Chicago, Detroit and San Francisco. Our conference “Mobility Goes Digital: The Future of Mobility Technologies & Smart Automotive Manufacturing” at UI Labs on March 13 attracted almost 200 automotive suppliers.

We are convinced that it is imperative to provide our internationally minded companies the right tools to make educated decisions on their U.S. market entry and provide platforms at important industry events to interact and explore synergies with U.S. companies which will ultimately lead to FDI growth on both side of the Atlantic.

## **HOW DID YOU GET INVOLVED WITH THE STATE OF NIEDERSACHSEN?**

During my work at the German American Chamber of Commerce (GACC) South in 2010 we worked on Volkswagen’s expansion to Chatta-

nooga, TN. In addition to assisting multiple SMEs from Germany in expanding to the U.S., my main responsibility as Niedersachsen state liaison was to ensure that Volkswagen’s comprehensive tier 1 and 2 supplier network was developed prior to the plant inauguration. As part of my role at Hannover Fairs USA (subsidiary of Deutsche Messe and world’s largest exhibition ground operator based in Niedersachsen’s capital of Hannover), it was crucial to move the U.S. base closer to our manufacturing technology customers in the Midwest and expand our workforce by focusing on partnerships and M&A in the U.S. market.

As a result, we introduced the first edition of HANNOVER MESSE, the world’s largest industrial trade event in partnership with the International Manufacturing Technology Show (IMTS) at McCormick Place contributing to a significant increase in attendee numbers (+115,000 in 2016; 40% increase since 2010). Another milestone was the first U.S.A. partner country project for HANNOVER MESSE 2016 with a record number of U.S. and Illinois companies participating.

## **WHY DID THE STATE CHOSE ILLINOIS AS THE NIEDERSACHSEN U.S. BASE?**

Due to Hannover Fairs’ partnership with the Illinois Department of Commerce and Economic Development (DCEO), we saw firsthand the strong interest of Illinois based companies

*Since 2012, we organized six trade missions to Germany and provided over 70 Illinois based, mostly manufacturing suppliers the opportunity to connect with customers and resellers in Germany...*

for doing business in Europe. Since 2012, we organized six trade missions to Germany and provided over 70 Illinois based, mostly manufacturing suppliers the opportunity to connect with customers and resellers in Germany which led to significant export revenue growth for Illinois companies.

Our goal is to further support and strengthen these companies so they can get to the next level of setting up permanent operations in Niedersachsen. Furthermore, the most important industrial trade shows in the U.S. take place right here at McCormick Place such as IMTS, ProMat, and PackExpo which gives us the opportunity to support our companies with their U.S. market entry strategies.

## THE FUTURE OF U.S. AND CANADA RELATIONS

By Al Monaco, CEO  
Enbridge Inc.



Al Monaco, CEO, Enbridge Inc.

*“Nearly nine million U.S. jobs depend on trade and investment with Canada in general.”*

—Al Monaco

Ask the leader of North America’s largest energy infrastructure company about the future of U.S. – Canada relations, and he’ll tell you working together is the key to success. Maintaining and growing North America’s integrated energy market is vital for both countries, and it’s central to providing secure, competitively priced product to customers on both sides of the border.

“Without question, our two countries are extremely important to one another,” Enbridge Inc. CEO Al Monaco explains. “Nearly nine million U.S. jobs depend on trade and investment with Canada in general. And energy is by far the biggest part of our cross-border trading relationship, as the movement of energy in both directions benefits economies and workers in both the U.S. and Canada.”

Consider that Canada supplies some 70 percent of the energy needs of Illinois alone, and that over the last few years, Enbridge has invested more than \$2 billion in the state, with more than 200 staff in the Chicago area and a thousand in the Midwest.

It’s a strong relationship that’s stood the test of time.

“Our roots in Illinois go back almost 50 years – to 1968. Today we have 10 liquids pipelines and our flagship Flanagan Terminal, a critically important transportation hub on our network,” he says.

“Add in our interests in the Alliance and Vector natural gas pipelines and the Aux Sable processing plant at Channahon, and you quickly see

how crucial it is to maintain an integrated market connecting the most important supply basins and demand centers, north and south.”

On Monaco’s watch, Enbridge recently became the largest energy infrastructure player in North America. Its liquids transmission systems alone move about 60 percent of the oil from Canada to the Midwest and Gulf Coast refining markets. Moreover, fully 20 percent of natural gas moves through Enbridge’s systems to the US Northeast and Southeast, not to mention Canadian markets.

Monaco says it’s important to remember both countries benefit from a single, integrated energy market. “Energy travels both ways across our border, and maintaining that is really important to our two countries.

Monaco underlines the fact that the connectivity of the Canadian and U.S. energy markets is North America’s great energy advantage.

“We have the largest and most integrated energy system in the world. A network of more than 80 pipelines moves liquids and natural gas. Thirty electricity transmission lines move energy north and south, optimizing capital and ensuring grid reliability. Some two thousand U.S. companies supply Canadian producers directly,” says Monaco.

Monaco also explains one of the tougher issues without any doubt is the continuing opposition to new infrastructure projects.

“It’s clear Native Americans and others want a say in energy projects that affect them. That’s why it’s





important we continue to work with these communities to address their concerns and to ensure they benefit from our projects and operations.

“But let’s also keep in mind that while there’s a lot of attention on groups who oppose projects, many Indigenous groups and other communities support responsible energy development,” Monaco adds.

In addition to a secure and reliable supply, an integrated energy market reduces our mutual reliance on foreign sources and allows for the movement of energy products between long-established, trusted neighbors with a strong, shared environmental ethic.

“As a result of North American integration, manufacturers enjoy lower energy costs, critical to their competitiveness, while the system creates energy self-sufficiency and security for the continent,” Monaco says.

“The synergies that generate a true competitive advantage for North American energy are the same ones



that allow us to invest heavily in Illinois communities, and provide funds for equipment and training for emergency first responders, and for numerous scholarships, student programs and partnerships we’ve built across the state,” Monaco adds.

“It’s part of a winning combination for both our nations – and for the industries and people we serve.”

## MADE OF STEEL FLESH AND BONES

By Habeeb Habeeb

*Individuals are made of flesh and bones, of emotions and feelings, of spirit and moods.*

People are not machines. They are not made of steel, although at times they think they are. Individuals are made of flesh and bones, of emotions and feelings, of spirit and moods. So how should we handle such a reality in the workplace?

Imagine with me that you're driving from Chicago to Champaign to see the Illini play Northwestern. You're not sure the Illini will win, but you're coming anyway. Your car is reliable, it's a Dodge Charger with

a Hemi engine, a muscle car. As you drive you glance at your gauges and the engine is at 2,000 RPMs. You don't give it another thought as you continue non-stop to Champaign. It's a two-hour drive and you want to get there on time.

Two hours are 120 minutes, and at 2,000 RPMs, the engine will turn 240,000 times non-stop. Wow, that's almost one quarter of a million turns without missing a beat. And by the way, you actually got road rage a few times on the trip because of bad drivers blocking the passing lane. You won't admit it but the engine registered 6,500 RPMs while you gunned it and passed them. The engine may have made turned more than ¼ million complete turns. You smile and think: "I love my car."

We take our cars for granted. Several years back our family went on a driving summer vacation exploring America's Western region. Before leaving, I made sure the vehicle was tuned up, the oil changed, the brakes and tires were checked, and the Freon was the correct level. We wouldn't think of taking the car on a grueling trip without giving it an inspection & checkup, repairs, and TLC. That paid off and our minivan performed flawlessly as the temperatures fluctuated from 85 degrees in the plains to a whopping 118 degrees at Death Valley. Sweet!

Now let's consider people. They are not machines. They are not made of steel. They are tender and fragile and have emotions and feelings. Their minds are influenced by the



Habeeb Habeeb, co-owner of BPC, and his team members.

occurrences around them and by TV, social media, their relationships outside and inside the workplace, and by today's stressful lives. Yet judging by the amount of effort expended on helping the mind and spirit of employees, most workplaces must think that employees can perform like men or women made of steel. No oil change, no tune ups, no maintenance, and little TLC.

Sometimes it's even the employees' own fault. They scoff at personal training and development programs. "I don't have time for meetings like that", "I'm too busy", "that's just fluff", or "I don't need self-help ideas, I'm fine."

We can increase our employees' openness to personal development programs by properly naming them. For example, re-direct them if anyone uses words such as "self-help". These are professional development programs that are beneficial and very needed in the face of our toxic national environment. We are bombarded by negativity and divisiveness. Sometimes our family and friends do not believe in our abilities. We grow up in a tough world and try to make it on our own. We use comedy and put-downs for fun. We engage in mindless recreational activities, the latest being binge-watching. How fresh do you think an employee will be the morning after watching four hours of a sarcastic comedy full of people-bashing?

If we did that to our equipment and machinery, they would stop dead in their tracks. Instead, we oil our en-

gines and change parts that are worn out. We ought to do the same for our people: purge minds of negativity, doubt, and stagnation and infuse it with hope, optimism, and a can-do attitude. "I can do it", "I can overcome this hurdle", "I can grow my abilities and have a brighter career path", "I should work as if I owned the place and I will get noticed", "my attitude is standing in the way of my promotion", "I won't allow this adversity to get me down. I will overcome and be a better person"....

We business owners would jump for joy if just 25% of our employees are able to make the leap and turn the page. We wouldn't have to go looking for new employees who are geniuses. Rather, we would be developing the genius 'in' our own employees.

If you are a business owner, a manager, a team leader, or an HR professional and you like the last two paragraphs, then let me assure you that it is not pie-in-the-sky. My firm operates in a very tough business environment. We are a Third Party Administrator (TPA) administering employee benefits plans for over 2,000 employers in FSAs, HRAs, HSAs, COBRA and Retirement plans. Healthcare Reform threatened our business and caused predatory pricing. Competition increased and productivity had to increase. Our costs skyrocketed and we had to spend an inordinate time simply keeping up with the changes in the laws. To counter such stress, we doubled down on corporate culture training and personal development

training. We even have a program that grants employees additional PTO if they read books from an approved list. They initially do it for the PTO, but they tell us it has helped them in their personal relationships at home, as spouses and parents, and it helps them at work. They become more proud of their work and they treat the client with increased care because they themselves feel cared for. The result: we have been named Best Places to work for the fourth time and our revenue has increased annually. It has to be intentional and is hard work at times. In addition, management must believe in its value, but the payoff is very rewarding.

As a business owner or Executive, you likely care about your employees and your clients. It's time to be intentional in investing effort to make sure everyone who works with you cares as much about personal development of your 'internal client', your employees.

*Habeeb Habeeb is a member of the Board of Directors of the Illinois Chamber of Commerce. He is co-owner of BPC, an Employee Benefit Administration firm based in Champaign, Illinois. He is a certified John Maxwell Team member and the Founder of H-Squared Leadership Institute for leadership development and keynote speaking. Contact Laurie Silvey at the Illinois Chamber if you are interested in leadership training and services.*

*“Eight-to-work laws in every border state are all the more reason for Illinois to make itself attractive to employers.”*



## WAKE UP ILLINOIS ... YOU'RE SURROUNDED

Illinois Chamber president and CEO Todd Maisch held a press conference in response to Missouri becoming the 28th right-to-work state on February 6. Maisch stated, “As of today, Illinois is now surrounded by states that have adopted right-to-work laws ... it is essential that Illinois responds with a strong pro-growth agenda for jobs and the economy of our state.” Maisch reiterated the five key policy areas state lawmakers must address to accelerate the Illinois economy. Those include: enacting pro-growth economic reforms, reform to Illinois’ unfair workers’ compensation system, rejecting anti-competitive proposals, working together on common sense regulatory issues, and focusing on education outcomes and workforce preparation.



## WE WORK FOR HEALTH

On February 23, Illinois Chamber’s Nathan Hoffman joined the Illinois Pharmacists Association and We Work for Health to meet with Congressman John Shimkus in his Maryville district office to thank him for his support for the Illinois healthcare system in Washington DC and discuss federal healthcare priorities in Illinois as well as the road ahead with possible changes to the Affordable Care Act. (Photo Left to right) Nathan Hoffman, Todd Evers - Illinois Pharmacists Association, Congressman Shimkus and Heidi Frederickson - We Work for Health

## CHAMBER KILLS TAX ON JOB CREATION

While the state continues to struggle with its budget crisis, it isn’t surprising that a number of ideas get floated to help bridge the gap. The Chamber remains open to listening to some, but immediately rejected a provision originally filed in SB 9: a \$750 million jobs tax! Plain and simple, the proposal would increase taxes on an employer as it hires more workers. In a state that sorely lags other states in job growth and just last month reached the same employment Illinois had in 2000, this jobs tax would have been a disaster for Illinois.

Incredibly, the idea was embraced by some business groups, but the Illinois Chamber, both at our own press conference and in meetings with legislators, stated unequivocally that it would reject any budget deal that included a tax on new jobs. Fortunately, enough legislators realized the terrible burden and message this tax would send to employers and it was removed from the legislation. As the budget crisis rages on, the Chamber will make sure the jobs tax does not return.

## INTERNATIONAL BUSINESS COUNCIL HOSTS MAYOR MANCERA OF MEXICO CITY

On February 10, the Illinois Chamber of Commerce's International Business Council in partnership with the Illinois Business Immigration Coalition and the Illinois Legislative Latino Caucus organized a breakfast roundtable with the Mayor of Mexico City Miguel Angel Mancera (*pictured at right*) to discuss Immigration, Global Trade and the Future of US-Mexico Relations. The event took place at the IL Chamber's office in Chicago and it was part of a multi-city U.S. tour prompted by the Trump's administration latest actions on Immigration and the potential to tear up NAFTA and impose tariffs of 35% on goods from Mexico. The Mayor was accompanied by Mexico City's current Secretary of Economic Development Salomón Chertorivski and the Mayors of Guadalajara and Ciudad de Juarez.

At the breakfast, Mancera highlighted the existing bridges between the two countries consolidated by a long standing commercial relationship and the many cultural and economic contributions of generations of Mexican immigrants in the United States.



## GREAT LAKES COMMISSION SEMI-ANNUAL MEETING

The Chamber attended the Great Lakes Commission's (GLC) Semi-Annual Meeting in Washington, DC on March 14-16 as an Illinois Commissioner appointed by Governor Bruce Rauner. Our participation with the GLC is to ensure that the business community of Illinois has a voice in the regional environmental and economic issues of today.

Illinois alone has over \$34 billion in clean and wastewater needs and as we have seen over the last few years, the costs of inattention and delayed investment are significant. We want to thank Congressman Brad Schneider (*pictured at right*) for attending the GLC & North East Midwest and showing his support for GLRI funds.



Photo credit: Eugene Shestakov, Northeast-Midwest Institute.

## THIRD ANNUAL NEW LAWS FORUM GARNERS SUCCESS



*Michael Ducker, President & CEO of FedEx Freight, speaks in defense of free enterprise and how the recent presidential election may affect employers going forward.*

*This year, human resource and business professionals from across the state came together to learn about new federal and state laws ...*

The Illinois Chamber concluded its 2016 educational events with the 3rd Annual New Laws Forum, co-presented with the Illinois State Council Society for Human Resource Management (ILSHRM). This year, human resource and business professionals from across the state came together to learn about new federal and state laws, as well as other legal developments, which affect all Illinois employers.

So, what is new for 2017? Jeff Risch, partner with SmithAmundsen, kicked off the event with an overview of upcoming changes. A few changes on the docket for 2017 include wage/hour issues; new leave entitlements, joint employer matters, drug testing in Illinois, and Illinois Department of Human Rights and Illinois Human Rights Commission (IDHR/IHRC) procedural updates. In addition, Risch serves as chair of the Illinois Chamber Employment Law Council and provided attendees with an overview of Chamber initiatives for 2017.

Following the morning overview of upcoming changes and developments from Illinois, the next speakers touched on federal areas of interest to Illinois employers. Michael Ducker, president and CEO of FedEx Freight, joined us to speak about the impact the presidential election may have on Illinois employers in terms of free enterprise. For the afternoon session, Michael Aitken, vice president of government affairs with SHRM, joined us for an overview of new and updated federal employment

laws. Aitken touched on the impact of the election and discussed what is on the public policy agenda for the new administration, which included outlooks on labor and employment; health care reform; immigration reform; and budget and tax reform.

Midday, forum attendees took a break from legal developments and employment law talk to honor some very special employers and individuals. First up, ILSHRM presented its “When Work Works” awards. These awards “recognize exemplary employers for creating effective workplaces to increase business and employee success.” Congratulations to the Illinois winners: Association of Legal Administrators; BDO USA, LLP; Laughlin Constable; RSG; Ryan, LLC; Sikich LLP; British Consulate; Episcopal Diocese of Chicago; and LaSalle Network.

The next set of awards was a first for the Illinois Chamber and we couldn’t be more honored to co-host the first inaugural Illinois Job Honor Awards. The Job Honor Awards celebrates Illinoisans who overcome barriers to employment, and the employers who hire them. We congratulate the 2016 winners: Henri Jordan, Forest Preserves of Cook County; Lee Tewell, AFNI; Veronica Flores, Esperanza; and lastly for the employer category, COUNTRY Financial. We wish them continued success in the workplace!

The day concluded with a panel discussion with questions and answers from the audience. Panelists



*The day concluded with a panel discussion moderated by Jeff Risch, SmithAmudsen. Panelists included representatives from NLRB Region 13 Chicago, IDES, OSHA, and U.S. Department of Labor.*

included Jeff Mays, director of the Illinois Department of Employment Security; Peter Sung Ohr, regional director of the National Labor Relations Board's Chicago office; Kathy Webb, area director of OSHA; Stephanie Dorning, U.S. Department of Labor; and moderated by Jeff Risch, SmithAmudsen. Each panelist gave a brief overview from their department, touching on key issues like the NLRB new rules, wage and hour issues, and new OSHA regulatory updates. Attendees, who are Illinois employers, had the opportu-

nity to have important questions and real concerns addressed by these key influencers on issues affecting Illinois businesses.

Overall, the 2016 Annual New Laws Forum was another huge success. We anticipate this annual event

to continue to grow in the coming years. Thank you to everyone who attended, our wonderful sponsors and speakers, and of course our co-presenter, ILSHRM – this event wouldn't have been a success without you. We hope to see you all again in 2017!

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## SEATTLE SUTTON'S HEALTHY EATING: LOCALLY LAUNCHED, NATIONALLY GROWN

*The Department of Labor reports that approximately half of all employers fail to reply to the unemployment claims they receive.*



Photo credit "The Ottawa Times"

*Seattle Sutton, founder of Seattle Sutton's Healthy Eating, is pictured with Among Barksdale, a 14-year employee of the company.*

Registered nurse turned entrepreneur Seattle Sutton started a business at the age of 53. The healthy, freshly prepared meal company has been helping residents of Illinois and people coast-to-coast improve their eating habits and overall health for more than 32 years.

Sutton's business mission started 80 miles southwest of Chicago in the Marseilles-Ottawa area. Sutton envisioned helping people when she was working as a registered nurse in her late husband's family medical practice. Sutton would counsel patients with type 2 diabetes and other ailments and create menus for them to follow each week. Too much work, most would lament and to her credit she saw a need and an opportunity. Her ingenious idea was born to help people just like those who sat before her, exhausted, exasperated and desperate to do better and change their eating habits to help improve their health.

That's where SSHE has helped hundreds of thousands of people step up their game and change their lifestyles once and for all through conveniently prepared meals delivered to their doors.

Since that time, there have been many successes and challenges along the way. For instance, she started small, mostly local and grew it into an Illinois business then franchised the concept making it available outside the state and then growing it to a national business in 2005. In 2000, Sutton built a state-of-the-art manufacturing facility where the company

currently operates its national business.

Sutton truly sums up the business by saying, "Nobody is doing what we're doing. Nobody!"

"We provide freshly prepared meals including fresh fruit and vegetables such as salads. Our meals are not freeze-dried or frozen. We prepare meals twice a week and deliver twice a week to ensure freshness. We are adherent to the recommendations of health and medical professionals: low in fat, calories, cholesterol, saturated fat and sodium restricted. Our meals do not include trans fat, high fructose corn syrup, artificial food dyes, or harmful additives as preservatives. We also include all nutritional information and ingredients on each meal served," said the 85-year old matriarch, Sutton.

"When I started, nobody else was doing this. I had nobody to follow. There was no category. I created not only a business, but also an entire food category. Now you see many others try to duplicate it and it has been many along the way – but we provide healthy, freshly prepared meals, which sets us apart. After all, healthy is in our name and we must be the healthiest meals possible," Sutton continues.

"Just think, it all started here in Illinois!" Sutton said.

One slight bump in the road was not business-related for Sutton, rather it was personal. It was when she was diagnosed with breast cancer 17 years ago and beat it. No stranger to breast cancer, it had run rampant



in her family killing her sister, aunts and cousins. She didn't skip a beat, her family was supportive and she continued to work every day while undergoing treatments. She also relied on her nutritious meals to nourish her during that time. They were a wonderful time saver for her and she knew she was getting the best possible nutrients she needed to help her beat cancer and recover.

Sutton is proud that she has grown her idea from 1985 into a 3-generation

family owned and operated business that affords her to stay in contact with her children and grandchildren every day. Asked if she envisioned this long ago when she started out, without skipping a beat, she answers, "Yes, of course, I always knew I'd take this business national. Did I know it would be a family business, not so much, but I'm so glad it is!"

She's most proud to help so many people improve their eating habits and overall health. It is what drives

her each and every day. Their successes are her successes –be it weight loss or people with diabetes reducing or eliminating their medications. That's what she wants. It is why she does what she does and will continue to do it. If her energy level is any indication, she will be able to for a very, very long time. She is proof healthy eating and being passionate about your business is the way to go!



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## PRESIDENT TRUMP'S FIRST 100 DAYS: WHAT IT MEANS FOR EMPLOYERS

By Sean F. Darke & Ryan L. Young

Regardless of one's political leanings, it would be hard to deny that the first 100 days of President Trump's term have been action packed. Captivated by the media spectacle, our nation has followed his Administration's every move, and there were a lot of moves to follow. Almost immediately after his inauguration, President Trump rolled up his sleeves and started implementing his agenda. In the business and employment context, the Administration's agenda is expected to reduce government involvement and allow businesses to drive the economy. What have the Trump Administration's first 100 days meant for businesses and what changes are likely to occur in the remaining days?

### THE FIRST 100 DAYS – WHAT TOOK PLACE?

The Trump Administration's first 100 days were a whirlwind of highly publicized issues. During this time, the Administration set the groundwork for the implementation of a pro-employer agenda.

One of the Administration's biggest moves consisted of replacing the leadership of the administrative agencies responsible for enforcing many of the federal government's major employment laws. These replacements have a record of taking pro-employer stances and are expected to fall in line with the Administration's pro-employer agenda. Businesses can expect a greater focus on compliance assistance rather than aggressive enforcement. For

example, when a business receives a letter from the DOL requiring a wage audit, the DOL is expected to be more amenable to educating the business on why its pay method or employment practice is illegal and assisting the business to bring its illegal practice into compliance. This approach would constitute a major shift from the previous eight (8) years where simple mistakes resulted in significant punishment. This doesn't mean that businesses won't be held accountable for violating employment laws; employees can still file private causes of action and continue to seek all remedies in federal or state court. Rather, it will shift the role of enforcement from the government to the individuals claiming to be aggrieved.

In addition, the recent appointment of Philip Miscimarra as acting Chairman of the National Labor Relations Board ("NLRB") signals the move toward a pro-employer NLRB. This move, as well as the filling of the current empty seats on the Board, is expected to have a huge impact on businesses across the nation. These appointments typically change precedent and implement the current administration's view (in this case a pro-employer stance) on decisions moving forward.

Moreover, let us not forget the Administration's appointment of recently confirmed Supreme Court Justice, Neil Gorsuch. Gorsuch's previous rulings as a Tenth Circuit Court of Appeals Judge will continue the Court's conservative majority for

years to come. With very important issues coming up in front of the U.S. Supreme Court, businesses should watch carefully to see how Judge Gorsuch will affect the Court's decisions and legacy.

President Trump also repealed the Fair Pay and Safe Workplaces rule (a/k/a the "blacklisting rule"). This "blacklisting rule" required federal contractors and subcontractors to disclose both labor violations and alleged labor violations that had yet to reach resolution, which in turn could negatively affect their chance of obtaining or retaining a federal contract. He also repealed President Obama's OSHA record-keeping rule; trimming the time period for which employers in high hazard industries must retain accident records from five (5) years to six (6) months. Admittedly limited in scope, employers generally saw both of the above actions as solid victories and further evidence of the President's goal of getting the government out of the way of businesses.

Finally, the Trump Administration commenced its deregulation agenda by implementing an Executive Order known as the "2-for-1 Order." This Order will impact all businesses of all sizes, since it is going to reduce government regulations that have been holding back businesses for years. With a reduction of government regulations, businesses can stop focusing on trying to comply with the numerous regulations and use those resources to increase production, increase workers' wages,

or engage in similar action aimed at business growth. Many businesses have applauded the Order as evidence that the President aims to achieve industry deregulation and lower regulatory costs.

### **THE NEXT 1,361 DAYS – WHERE DOES THE AGENDA GO FROM HERE?**

Aside from the Administration's limited Executive Order action and appointments, most employers have seen little tangible action from the Trump Administration during the first 100 days that will directly impact

their businesses. But, as the old adage goes, "Rome wasn't built in a day" and, similarly, the Administration could not possibly implement its pro-employer agenda in full within the first 100 days of the Presidency. The Administration did, however, make strategic regulatory moves and agency appointments that put in place the groundwork required to roll out its pro-employer agenda in full force.

While there are no guarantees, the groundwork laid by the Administration thus far has led many employers to predict where the Administra-

tion will make changes that will have a significant effect on employers. But again, businesses must also be aware of state laws, which could be more employee-friendly. Below is a list summarizing likely changes:

#### ***Wage and Hour***

- New Department of Labor (DOL) is not expected to enforce the proposed overtime rule for the white-collar exemption, which raised the minimum salary threshold from \$26,660 per year to \$46,476 per year. The DOL may withdraw its

*Continued on page 27*

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## IS YOUR COMPANY READY FOR THE CHICAGO AND COOK COUNTY SICK LEAVE ORDINANCES EFFECTIVE 7/1/17?

By Sara Zorich & Beverly Alford

*... employers must review their paid time off, sick and vacation policies now to ensure compliance with the new ordinances.*

On June 22, 2016, the Chicago City Council unanimously passed Ordinance O2016-2678, amending the Chicago Minimum Wage Ordinance (§1-24) to provide for paid sick leave and on October 5, 2016, the Cook County Board of Commissioners enacted the Cook County Earned Sick Leave Ordinance, § 42-1 which is strikingly similar. Both ordinances are effective on July 1, 2017. The two ordinances impact employers who have businesses in Cook County and/or Chicago, or are subject to a Chicago business license.

The July 1 effective date is approaching and employers must review their paid time off, sick and vacation policies now to ensure compliance with the new ordinances.

### **Similarities:**

- Covered Employee - an employee who: (1) works for an employer at least 80 hours within any 120-day

period; and (2) performs at least 2 hours of work in Cook County (or the City of Chicago depending on the ordinance) during any 2 week period – including driving through county (or city) for business purposes.

- Accrual Rate – Employees earn 1 hour of sick leave for every 40 hours they work.

- Cap – Employees can earn up to 40 hours of paid sick time per 12 month period.

- Carryover – 20 hours for non-FMLA employers. If the employee is FMLA eligible, another 40 hours may be carried over for FMLA purposes only.

- Benefit Year - first calendar day after start of employment, or July 1, 2017.

- Permitted Use - employee's own or family member's illness, injury, medical treatment or diagnosis, preventative care; also domestic violence or sexual assault, or public health emergency closure related to child's school or care facility.

- Family Member Definition - employee's child, legal guardian or ward, spouse, domestic partner, parent, spouse or domestic partner's parent, sibling, grandparent, grandchild, including step and foster relationships, or any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.

- Restriction on Use - Generally, only 40 hours of paid sick leave may be used per 12 month period. If the employee is eligible to carry over

additional paid sick leave hours for FMLA purposes, up to 40 hours can be used for FMLA purposes only, and an additional 20 hours can be used for other purposes – for a total of 60 hours.

- Employee Notice to Company – Employer can require the employee to give up to 7 days' notice if need for leave is reasonably foreseeable. Otherwise, the employee may give the employer notice of the need for leave as soon as practicable via phone, email or text message.

- Minimum Increment of Use - An employer can require use in increments of 4 hours or less.

- Payout – No payout at termination.

- Posting Requirements - both written notice with first paycheck after 7/1/17 and poster.

- Documentation – An employee may be required to provide documentation for absence of more than 3 consecutive work days.

- Retaliation – no retaliation for using accrued sick leave under the ordinance.

### **Differences:**

- To be a covered employer under the Cook County ordinance you must have: (1) at least one covered employee in Cook County and (2) a place of business in Cook County.

- For the Chicago ordinance you must have: (1) at least one covered employee in Chicago and: (2) (a) maintain business facility within Chicago, or (b) are subject to Chicago's business licensing requirements.

## THE NEXT 1361 DAYS

This means that more employers outside of Chicago may be subject to the ordinance solely because they have a Chicago business license.

### **Key Issues to Consider**

Employers must take the time to carefully review their existing policies to determine if their policies are compliant with the new ordinances or if changes need to be made. Issues to consider include:

- Do you have a paid time off or sick leave policy?
- Do your policies comply with requirements of any applicable collective bargaining agreement?
- What “year” does the company use for providing benefits?
- Have supervisors been trained to recognize and properly administer requests for paid sick leave?
- Do you have tracking systems to comply with the 1 hour earned for every 40 hours worked?
- Do you have attendance and leave tracking systems that need to be updated to conform to the ordinance requirements?
- Has the company complied with federal, state, and local posting and notice requirements?
- Have other employment policies, including other mandated leave policies, been updated to reflect changes in the law, including interaction with sick leave laws?
- Have administrative processes been updated to reflect the requirements (e.g., receiving notice of unforeseeable leave by phone, email, or text message)?

- Are federal or local disability laws implicated by an employee requesting or taking leave, or returning to work from leave?

- What procedures are in place to engage in the reasonable accommodation interactive process?

- Have employment policies been vetted by experienced employment counsel?

Along with these general issues, there are some “tricky situations” employers with multiple locations must consider:

- Will the company change its sick policy or create a new policy for all Illinois employees?

- How to address and track when an employee triggers accrual when that employee’s normal business location is not in Cook County or Chicago?

Unfortunately for employers, neither the City of Chicago nor Cook County has issued any guidance or clarification on the ordinances to date. Cook County did request public comment and has indicated the Cook County Commission on Human Rights is “in the process of researching, drafting and adopting procedural rules, substantive regulations and model postings and notices related to the implementation of the Earned Sick Leave Ordinance.” (<https://www.cookcountyl.gov/service/earned-sick-leave-ordinance-0,3-28-17>). We suggest employers stay tuned to the Cook County Commission’s website for updates and guidance on its interpretation of the ordinance.

*Continued from page 25*

challenge to the pending litigation or go through another rule making process.

- Administration appears to support a “moderate” minimum wage increase. It appears a new minimum wage rate would be between \$9 and \$10.

- Paid maternity leave is a possibility. President Trump’s website stated he would support a law providing six weeks of paid leave to new mothers.

- New DOL not expected to enforce “persuader rule” (requires employers and their labor counsel to disclose expenditures and activities related to labor relations matters in filings with the DOL).

- Administration’s proposed budget cuts of \$2.5 Billion would scale back lower new DOL’s enforcement of wage and hour laws and their rulemaking efforts.

Labor Relations

- Administration to appoint two new National Labor Relations Board members, giving the conservatives a long-desired majority of the five member Board.

- Significant changes to the union-friendly Board decisions over the last eight years expected, but will take time as the Board cannot change the previous decisions until the same issues reach it on a case-by-case basis on appeal. As a result, businesses will likely challenge more issues in order to get these matters in front of the Board for ruling.

Discrimination *Continued on page 32*

## FACTS YOU DIDN'T KNOW ABOUT GROUP HEALTH INSURANCE

You may think group health insurance costs more than giving your employees dollars to shop the individual market. But did you know that's no longer true?

One benefit of the Affordable Care Act or Obamacare is the ability for businesses to offer coverage to their employees at an affordable cost. And it's not just for large corporations. Business with less than 50 employees—even as little as two employees, can offer group health insurance.

Also in the small group space, medical underwriting is no longer legally required and running a census is based off age instead of pre-existing medical conditions so the process is quicker for us and easier for you.

Need more convincing? Read on.

### ACCESS TO MORE DOCTORS AND HOSPITALS

You will make more carrier choices and more health plans available to your employees by offering group health insurance.

*Since the implementation of the Affordable Care Act—*

- 18 out of 23 Consumer Operated and Oriented Plan (CO-OP) Programs have failed.
- Major carriers continue to restrict or eliminate access to large PPO networks in the individual market.
- One out of every three counties in the country only have one carrier offering individual health plans. Next year that's predicted to be zero in some areas.

### PRE-TAXED DOLLARS

Giving your employees dollars to shop the individual market wastes your money and theirs.

When your employees purchase individual health insurance, they spend more by paying their premiums with post tax dollars. This added cost means individual health insurance plans automatically have higher premiums—that's right, more cost for the same coverage.

When electing group health insurance, your employees can pay their monthly premium with pre-tax dollars—meaning money is taken directly from their paycheck before tax deductions. That averages to around 22% in personal savings. Don't make your employees pay their premiums with post taxed dollars.

### LOWER EMPLOYEE TURNOVER RATE

The highest sought out employee benefit is health insurance. Keep your valued employees satisfied by simply offering health insurance. It doesn't have to cost you an arm and a leg.

### COST CONTROL WITH CDAS

Leverage Consumer Driven Accounts (CDAs) to control your cost and increase your benefits. CDAs are tax-advantaged accounts that save you and your employees money.

### Flexible Spending Account (FSA)

An FSA is an employee funded account used to pay qualified health care expenses on a tax-free basis.

Your employees allocate dollars at the beginning of plan year to pay out of pocket medical expenses with pre-tax dollars. The allocated amount is the employees estimated yearly cost of medical expenses.

Should your employee incur a medical expense immediately—you cover the cost. Should they make it to the end of the year without meeting their predicted medical expenses—the remaining amount goes directly in your pocket.

### Health Reimbursement Arrangement (HRA)

An HRA is an arrangement between you and your employees to help fund their out of pocket medical expenses. Employer reimbursements are considered business expenses that become write-offs at the end of the year.

### How?

You fund half of the employees deductible. And in the right situation, even in a worst-case scenario situation (worst case being your employees all meet their 6,000 deductible), your savings by increasing the deductible will still exceed what you pay out in reimbursement.

Remember, your employees wouldn't have access to an FSA or HRA without you.



**SECOND ANNUAL**



# CYBER SECURITY CONFERENCE

**July 20 | 7am-2pm  
Glen Ellyn, IL**



**Crowne Plaza Lombard Downers Grove  
1250 Roosevelt Road**

Cybersecurity is an issue that impacts all of us, regardless of who we or what we do. Collaboration and communication between government entities and the private sector is essential to our success combating cyber threats. This event brings together public and private entities to discuss policy and best practice in cybersecurity to help businesses be prepared for whatever the future brings for both small and large businesses.

## FEATURED SPEAKERS

- Michael Papay, Vice President and Chief Information Security Office, Northrop Grumman
- Panel Discussion on Federal Agencies and Their Role in Cybersecurity (U.S. Secret Service Electronic Task Force, FBI, Homeland Security)
- Illinois Lt. Gov. Evelyn Sanguinetti (Invited) On the U.S. States and Cybersecurity
- Additional speakers to be announced soon!

**MEMBER PRICE ..... \$ 99**

*(members of marketing partner chambers)*

**NON-MEMBER ..... \$149**

Includes breakfast, lunch, all sessions, access to exhibitors and all printed materials

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For more information or to register go to [www.ilchamber.org/events](http://www.ilchamber.org/events) or call Kelli Jessup at (217) 522-5512 ext 227 or [kjessup@ilchamber.org](mailto:kjessup@ilchamber.org)

## AROUND THE COUNTRY AND THE STATE



*Illinois Chamber President and CEO Todd Maisch is often interviewed by news outlets about the Chamber's position on current legislation.*

*Over the past few months, staff members have represented the Illinois Chamber at the Capital, answering questions for news reporters, and speaking at a variety of events ...*

Chamber staffers are always on the move throughout the state of Illinois. Over the past few months, staff members have represented the Illinois Chamber at the Capital, answering questions for reporters, and speaking at a variety of events that support our members' efforts.

The Government Affairs team kicked off the year with their Let's Grow Summit held on January 27 in Chicago. The agenda featured Gov. Rauner along with keynote speaker US Chamber President and CEO Tom Donahue. Members of the Illinois Chamber attended to hear insights into President Trump's administration, as well as the U.S. Chamber's Pro-Growth agenda for the GOP-controlled federal government.

IACCE and Illinois Chamber co-presented the Legislative Summit on February 8 at the Sangamo Club in Springfield. Illinois Chamber president & CEO Todd Maisch spoke to local chamber representatives about the "Grand Bargain" and education funding in Illinois. Additional speakers included Mischa Fisher, Economic Development Policy Advisor to Gov. Rauner, Paul LaSchiazza, President of AT&T in Illinois, and Connie Beard, Director of Illinois Department of Revenue.

On February 23, Laura Ortega, Executive Director of the Illinois Chamber's International Business Council testified in support of HJR3. The bill, sponsored by Rep. Andre Thapedi would create the Trade Policy Task Force.

The latest practical tax advice was provided to a group of attorneys and business owners in Moline on February 27. Presenters included Tax Institute Executive Director Keith Staats, Joe Bigane of JFB Tax Consulting, Christy Edson of True Partners Consulting, Mary Pat Kohberger of Deloitte LLP and Dan Hall of the Illinois Department of Revenue.

The Illinois State Committee of Employer Support of the Guard and Reserve held their Annual Planning and Awards Meeting on March 10 and 11 at Great Lakes Naval Station. The Illinois Chamber was well represented by Laurie Silvey (Assoc. VP Business Services), Kelli Jessup (Business Services Coordinator), and Rachael Krekel (Receptionist/Marketing Assistant) in attendance along with retired Executive Vice President Michael Ayers. In addition to volunteer training, 37 employers were honored for their efforts in going Above and Beyond the legal requirements for their service member employees. Illinois Chamber members who were recognized included Takeda Pharmaceuticals USA Inc., W.W. Grainger Inc., W.S. Darley and Co., and Modern Woodmen of America.

On March 27, the Illinois Chamber was represented by Candace Gerritsen, Kelli Jessup, and Rachael Krekel at the Facebook Boost Your Business event held in Chicago. Presenters spoke about women in business, and how Facebook can help any business grow. The Illinois Chamber was a partner in the event and spoke to potential members.





Above left: Business Services coordinator Kelli Jessup and Receptionist/Marketing Assistant Rachael Krekel were at the Facebook Boost Your Business Event in March. Above center: International Business Council Executive Director Laura Ortega testified in support of the Trade Policy Task Force during March. Above right: Todd Maisch acted as host and emcee for the annual All Council meeting. This year's event was held in January and was themed as the Economic Growth Summit. At right: Tax Institute Executive Director Keith Staats put together a great panel of presenters for the Feb Sales and Use Tax Seminar held in Moline.



**SAVE THE DATE | REGISTRATION OPENING SOON**



# 2017 ANNUAL LUNCHEON

**SEPTEMBER 28, 2017**

The Drake Hotel | 140 East Walton Place | Chicago IL 60611

10:30 am - Pre-event reception

11:30 am to 2pm - Luncheon with keynote speaker Al Monaco, President and CEO of Enbridge Energy

**STRONGER BUSINESS  
STRONGER ILLINOIS**

## THE NEXT 1361 DAYS

*Continued from page 27*

- New Equal Employment Opportunity Commission (EEOC) could withdraw or revise EEO-1 Reporting Rule (which required employers with 100 or more employees to provide compensation data with a breakdown by race, ethnicity, sex, EEO-1 category, and “pay band”).

- New EEOC’s stance toward targeting “systemic discrimination” (i.e. discrimination that has a broad impact, usually within a company) is uncertain. Budget cuts could significantly impact the enforcement of this area.

### **Immigration**

- Expect tougher enforcement against H-1B abuse as the United States Citizenship and Immigration Services announced a more aggressive enforcement plan.

- Possible end to spousal work rule, which allowed spouses of “high-skilled” workers who were waiting for green cards to also work in the United States.

While the first 100 days of the Trump Administration have been eventful, the Administration’s efforts

are nowhere near complete. The Administration’s efforts, so far, appear to show the formation of a pro-employer environment. But, employers need to stay informed of the many changes that will inevitably take place as the newly organized administrative agencies continue to implement the Administration’s agenda. In addition, businesses in the State of Illinois must also look toward state laws, which are typically more employee-friendly, to ensure compliance with all laws.



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## Illinois Chamber of Commerce

Our philosophy is simple – put the client first. Our more than 160 attorneys spend each day providing exceptional client service to commercial organizations in the areas of labor and employment, litigation and business transactions. Our clients are *Fortune* 500 companies, manufacturers, farmers, restaurant owners, government agencies, pilots, insurers, financial institutions and small business owners among hundreds of others.

Our strength is our commitment to understanding clients' business objectives and successfully partnering with them to meet those objectives. We value long-term relationships with our clients because when we genuinely understand the industries in which our clients operate, we are able to provide more strategic and innovative legal advice.

A **FULL SERVICE** business law firm with a simple promise - **PUT YOU FIRST**

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- Employee Benefits & Compensation
- Employment Law
- Government Regulation, Audit & Compliance
- Immigration
- OSHA
- Public Sector
- Staffing Agency, Independent Contractor & Contingent Workforce
- Traditional Labor & Union Relations
- Unfair Competition Counseling & Litigation
- Wage & Hour
- Workers' Compensation

### BUSINESS & TRANSACTIONS

- Banking & Financial Institutions
- Corporate & Securities
- Employee Benefits & Compensation
- Estate & Business Planning
- Insolvency & Restructuring
- Intellectual Property
- Real Estate
- Tax



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#### LOCATIONS

- |                  |                 |
|------------------|-----------------|
| Chicago, IL      | St. Charles, IL |
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## Health & Welfare Administration

- Health Savings Accounts (HSAs)
- Flexible Spending Accounts (FSAs)
- Health Reimbursement Arrangements (HRAs)
- Qualified Small Employer Health Reimbursement Arrangements (QSEHRAs)
- Premium Only Plans (POP)
- Wrap Plan Services
- ERISA Form 5500 Preparation
- COBRA Administration
- Qualified Transportation Benefits
- Dependent Eligibility Audit

## Retirement Plan Administration

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- Cross-Tested Profit Sharing
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