

HB5563



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5563

Introduced 2/14/2014, by Rep. Kelly Burke

SYNOPSIS AS INTRODUCED:

820 ILCS 112/15

Amends the Equal Pay Act of 2003. Provides that the Department of Labor may refer for investigation a complaint alleging a violation of the Act to the Department of Human Rights if the complaint also alleges a violation of the Illinois Human Rights Act over which the Department of Human Rights has jurisdiction. Effective January 1, 2015.

LRB098 17633 JLS 52746 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Equal Pay Act of 2003 is amended by changing
5 Section 15 as follows:

6 (820 ILCS 112/15)

7 Sec. 15. Enforcement.

8 (a) The Director or his or her authorized representative
9 shall administer and enforce the provisions of this Act. The
10 Director of Labor shall adopt rules necessary to administer and
11 enforce this Act.

12 (b) An employee or former employee may file a complaint
13 with the Department alleging a violation of this Act by
14 submitting a signed, completed complaint form. All complaints
15 shall be filed with the Department within one year from the
16 date of the underpayment.

17 (c) The Department has the power to conduct investigations
18 in connection with the administration and enforcement of this
19 Act and the authorized officers and employees of the Department
20 are authorized to investigate and gather data regarding the
21 wages, hours, and other conditions and practices of employment
22 in any industry subject to this Act, and may enter and inspect
23 such places and such records at reasonable times during regular

1 business hours, question the employees and investigate the
2 facts, conditions, practices, or matters as he or she may deem
3 necessary or appropriate to determine whether any person has
4 violated any provision of this Act, or which may aid in the
5 enforcement of this Act.

6 (d) The Department may refer a complaint alleging a
7 violation of this Act to the Department of Human Rights for
8 investigation if the subject matter of the complaint also
9 alleges a violation of the Illinois Human Rights Act and the
10 Department of Human Rights has jurisdiction over the matter.
11 When a complaint is referred to the Department of Human Rights
12 under this subsection, the Department of Human Rights shall
13 also file the complaint under the Illinois Human Rights Act and
14 be the agency responsible for investigating the complaint. The
15 Department shall review the Department of Human Rights'
16 investigation and findings to determine whether a violation of
17 this Act has occurred or whether further investigation by the
18 Department is necessary and take any necessary or appropriate
19 action required to enforce the provisions of this Act. The
20 Director of Labor and the Department of Human rights shall
21 adopt joint rules necessary to administer and enforce this
22 subsection.

23 (Source: P.A. 96-467, eff. 8-14-09.)

24 Section 99. Effective date. This Act takes effect January
25 1, 2015.