

HB3820



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3820

Introduced 2/18/2025, by Rep. Gregg Johnson

SYNOPSIS AS INTRODUCED:

820 ILCS 65/11 new

Amends the Illinois Worker Adjustment and Retraining Notification Act. Provides that an employer shall provide severance pay to a terminated employee equal to one week of pay for each full year of employment. Provides that, if the employer provides any employee with less than the number of days of notification required under the Act, the employer shall provide that employee with an additional 4 weeks of pay. Sets forth provisions concerning severance pay provided by the employer under a collective bargaining agreement and waiver of rights under the provisions.

LRB104 12265 SPS 22377 b

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 Illinois Worker Adjustment and Retraining
5 Notification Act is amended by adding Section 11 as follows:

6 (820 ILCS 65/11 new)

7 Sec. 11. Severance pay required.

8 (a) An employer shall provide severance pay to a
9 terminated employee equal to one week of pay for each full year
10 of employment. If the employer provides any employee with less
11 than the number of days of notification required under Section
12 10, the employer shall provide that employee with an
13 additional 4 weeks of pay. The rate of severance pay provided
14 by the employer under this Section shall be the average
15 regular rate of compensation received during the employee's
16 preceding 3 years of employment with the employer or the final
17 regular rate of compensation paid to the employee, whichever
18 rate is higher.

19 (b) Severance under this Section shall be considered
20 compensation due to an employee for back pay and losses
21 associated with the termination of the employment relationship
22 and earned in full upon the termination of the employment
23 relationship, notwithstanding the calculation of the amount of

1 the payment with reference to the employee's length of
2 service.

3 (c) An employer shall provide an employee the greater of:

4 (1) the severance pay required under this subdivision;

5 or

6 (2) any severance pay provided by the employer under a
7 collective bargaining agreement or for any other reason.

8 (d) Any back pay provided by the employer to an employee
9 under the Worker Adjustment and Retraining Notification Act,
10 29 U.S.C. Section 2101 et seq., shall be credited towards the
11 severance pay requirements described in this Section.

12 (e) No waiver of the right to severance provided under
13 this Section shall be effective without approval of the waiver
14 by the Director of Labor or by a court of competent
15 jurisdiction.