



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5208

Introduced 2/10/2026, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

820 ILCS 154/1
820 ILCS 154/3 new
820 ILCS 154/5
820 ILCS 154/10
820 ILCS 154/12 new
820 ILCS 154/14 new
820 ILCS 154/15
820 ILCS 154/20
820 ILCS 154/25
820 ILCS 154/35
820 ILCS 156/Act rep.
820 ILCS 180/20
820 ILCS 206/75

Provides that the Act may be referred to as the Zachary's Parent Protection Act. Amends the Family Bereavement Leave Act. Changes the name of the Act to the Bereavement Leave Act. Sets forth provisions concerning family bereavement leave, child extended bereavement leave, and general bereavement leave. Provides for the qualifying requirements, notice requirements, and length of leave provided under those circumstances. Provides that the bereavement leave provided under the Act is in addition to the unpaid leave time allowed under the federal Family and Medical Leave Act of 1993. Provides that the Department of Labor shall review complaints to determine whether there is cause for investigation. Makes changes to definitions. Repeals the Child Extended Bereavement Leave Act. Amends the Victims' Economic Security and Safety Act and the Child Labor Law of 2024 to make conforming changes.

LRB104 19697 SPS 33146 b

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 1. References to Act. This Act may be referred to
5 as the Zachary's Parent Protection Act.

6 Section 5. The Family Bereavement Leave Act is amended by
7 changing Sections 1, 5, 10, 15, 20, 25, and 35 and by adding
8 Sections 3, 12, and 14 as follows:

9 (820 ILCS 154/1)

10 Sec. 1. Short title. This Act may be cited as the ~~Family~~
11 Bereavement Leave Act.

12 (Source: P.A. 102-1050, eff. 1-1-23.)

13 (820 ILCS 154/3 new)

14 Sec. 3. Findings; legislative intent; construction. The
15 General Assembly finds and declares:

16 (1) the Illinois General Assembly first enacted this
17 Act as the Child Bereavement Leave Act in Public Act
18 99-703, effective July 29, 2016;

19 (2) the General Assembly then broadened the
20 protections of the Child Bereavement Leave Act in Public
21 Act 102-1050, effective June 9, 2022, and this Act became

1 known as the Family Bereavement Leave Act;

2 (3) the General Assembly subsequently enacted the
3 Child Extended Bereavement Leave Act, a new act, in Public
4 Act 103-466, effective August 4, 2023;

5 (4) these statutory protections for workers grieving
6 the loss of a loved one were made possible by the efforts
7 of parent advocates who championed their passage; and

8 (5) the General Assembly hereby establishes this Act,
9 which may be cited as the Bereavement Leave Act, to
10 provide for comprehensive and effective administration and
11 enforcement of these protections in a single Act.

12 (820 ILCS 154/5)

13 Sec. 5. Definitions. In this Act:

14 "Assisted reproduction" means a method of achieving a
15 pregnancy through an artificial insemination or an embryo
16 transfer and includes gamete and embryo donation. "Assisted
17 reproduction" does not include any pregnancy achieved through
18 sexual intercourse.

19 "Child" means an employee's child ~~son or daughter~~ who is a
20 biological, adopted, or foster child, a stepchild, a legal
21 ward, or a child of a person standing in loco parentis.

22 "Covered family member" means an employee's ~~child,~~
23 ~~stepchild,~~ spouse, domestic partner, sibling, parent,
24 mother-in-law, father-in-law, grandchild, grandparent, or
25 stepparent.

1 "Department" means the Department of Labor.

2 "Domestic partner", used with respect to an unmarried
3 employee, includes:

4 (1) the person recognized as the domestic partner of
5 the employee under any domestic partnership or civil union
6 law of a state or political subdivision of a state; or

7 (2) an unmarried adult person who is in a committed,
8 personal relationship with the employee, who is not a
9 domestic partner as described in paragraph (1) to or in
10 such a relationship with any other person, and who is
11 designated to the employee's employer by such employee as
12 that employee's domestic partner.

13 "Department" means the Department of Labor.

14 "Employee" means any individual permitted to work by an
15 employer in an occupation. "Employee" does not include any
16 individual:

17 (1) who has been and will continue to be free from
18 control and direction over the performance of his work,
19 both under his contract of service with his employer and
20 in fact;

21 (2) who performs work which is either outside the
22 usual course of business or is performed outside all of
23 the places of business of the employer unless the employer
24 is in the business of contracting with third parties for
25 the placement of employees; and

26 (3) who is in an independently established trade,

1 ~~occupation, profession, or business eligible employee, as~~
2 ~~defined by Section 101(2) of the federal Family and~~
3 ~~Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).~~

4 "Employer" means any individual, sole proprietor,
5 partnership, association, corporation, limited liability
6 company, business trust, or employment and labor placement
7 agency where wages payments are made directly or indirectly by
8 the business or agency for work undertaken by employees under
9 hire to a third party who employs at least one employee.

10 "Employer" does not include the federal government or an
11 agency of the federal government ~~employer, as defined by~~
12 ~~Section 101(4) of the federal Family and Medical Leave Act of~~
13 ~~1993 (29 U.S.C. 2601 et seq.).~~

14 "Reproductive event" means: (i) a miscarriage; (ii) an
15 unsuccessful round of intrauterine insemination or of an
16 assisted reproductive technology procedure; (iii) a failed
17 adoption match or an adoption that is not finalized because it
18 is contested by another party; (iv) a failed surrogacy
19 agreement; (v) a diagnosis that negatively impacts pregnancy
20 or fertility; or (vi) a stillbirth.

21 (Source: P.A. 102-1050, eff. 1-1-23.)

22 (820 ILCS 154/10)

23 Sec. 10. Family bereavement ~~Bereavement~~ leave.

24 (a) In addition to the bereavement leave afforded in
25 Sections 12 and 14, all ~~All~~ employees shall be entitled to use

1 ~~an amount a maximum of 2 weeks (10 work days)~~ of unpaid
2 bereavement leave to, in accordance with the time limits set
3 forth in subsection (a-5):

4 (1) attend the funeral or alternative to a funeral of
5 a covered family member;

6 (2) make arrangements necessitated by the death of the
7 covered family member;

8 (3) grieve the death of the covered family member; or

9 (4) be absent from work due to a reproductive event
10 ~~(i) a miscarriage; (ii) an unsuccessful round of~~
11 ~~intrauterine insemination or of an assisted reproductive~~
12 ~~technology procedure; (iii) a failed adoption match or an~~
13 ~~adoption that is not finalized because it is contested by~~
14 ~~another party; (iv) a failed surrogacy agreement; (v) a~~
15 ~~diagnosis that negatively impacts pregnancy or fertility;~~
16 ~~or (vi) a stillbirth.~~

17 (a-5) An employee of an employer who employs less than 50
18 employees is entitled to use a maximum of 5 total days of
19 unpaid bereavement leave provided for in subsection (a) per
20 12-month period. An employee of an employer who employs 50 or
21 more employees is entitled to use a maximum of 10 total days of
22 unpaid bereavement leave provided for in subsection (a) per
23 12-month period.

24 (b) Bereavement leave under subsection (a) of this Section
25 must be taken ~~completed~~ within 60 days after the date on which
26 the employee receives notice of the death of the covered

1 family member or the date on which an event listed under
2 paragraph (4) of subsection (a) occurs. Bereavement leave
3 under this Section may be taken in a single continuous period
4 or intermittently in increments of no less than 4 hours.

5 (c) (Blank). ~~An employee shall provide the employer with~~
6 ~~at least 48 hours' advance notice of the employee's intention~~
7 ~~to take bereavement leave, unless providing such notice is not~~
8 ~~reasonable and practicable.~~

9 (d) (Blank). ~~An employer may, but is not required to,~~
10 ~~require reasonable documentation. Documentation may include a~~
11 ~~death certificate, a published obituary, or written~~
12 ~~verification of death, burial, or memorial services from a~~
13 ~~mortuary, funeral home, burial society, crematorium, religious~~
14 ~~institution, or government agency. For leave resulting from an~~
15 ~~event listed under paragraph (4) of subsection (a), reasonable~~
16 ~~documentation shall include a form, to be provided by the~~
17 ~~Department, to be filled out by a health care practitioner who~~
18 ~~has treated the employee or the employee's spouse or domestic~~
19 ~~partner, or surrogate, for an event listed under paragraph (4)~~
20 ~~of subsection (a), or documentation from the adoption or~~
21 ~~surrogacy organization that the employee worked with related~~
22 ~~to an event listed under paragraph (4) of subsection (a),~~
23 ~~certifying that the employee or his or her spouse or domestic~~
24 ~~partner has experienced an event listed under paragraph (4) of~~
25 ~~subsection (a). The employer may not require that the employee~~
26 ~~identify which category of event the leave pertains to as a~~

1 ~~condition of exercising rights under this Act.~~

2 (e) In the event of the death of more than one covered
3 family member in a 12-month period, an employee is entitled to
4 a maximum of up to a total of 6 weeks of bereavement leave
5 during the 12-month period. ~~This Act does not create a right~~
6 ~~for an employee to take unpaid leave that exceeds the unpaid~~
7 ~~leave time allowed under, or is in addition to the unpaid leave~~
8 ~~time permitted by, the federal Family and Medical Leave Act of~~
9 ~~1993 (29 U.S.C. 2601 et seq.).~~

10 (Source: P.A. 102-1050, eff. 1-1-23.)

11 (820 ILCS 154/12 new)

12 Sec. 12. Child extended bereavement leave.

13 (a) In addition to the bereavement leave afforded under
14 Sections 10 and 14:

15 (1) An employee of an employer who employs less than
16 50 employees is entitled to use a maximum of 3 total
17 workweeks of unpaid bereavement leave per 12-month period
18 if the employee experiences the loss of a child.

19 (2) An employee of an employer who employs 50 or more
20 employees but less than 250 employees is entitled to use a
21 maximum of 6 total workweeks of unpaid bereavement leave
22 per 12-month period if the employee experiences the loss
23 of a child.

24 (3) An employee of an employer who employs 250 or more
25 employees is entitled to use a maximum of 12 total

1 workweeks of unpaid bereavement leave per 12-month period
2 if the employee experiences the loss of a child.

3 (b) This Section does not apply to full-time employees of
4 the State, except for those employees who are not otherwise
5 eligible for family responsibility leave or a leave of absence
6 without pay.

7 (c) Bereavement leave under this Section may be taken in a
8 single continuous period or intermittently in increments of no
9 less than 4 hours, but leave must be taken within 12 months
10 after the employee notifies the employer of the loss covered
11 under this Section.

12 (820 ILCS 154/14 new)

13 Sec. 14. General bereavement leave.

14 (a) In addition to the bereavement leave afforded in
15 Sections 10 and 12, all employees shall be entitled to use a
16 maximum of 3 total days of unpaid bereavement leave per
17 12-month period to:

18 (1) attend the funeral or alternative to a funeral of
19 any person;

20 (2) make arrangements necessitated by the death of any
21 person; or

22 (3) grieve the death of any person.

23 (b) Bereavement leave under this Section may be taken in a
24 single continuous period or intermittently in increments of no
25 less than 4 hours, but leave must be taken within 60 calendar

1 days after the employee notifies the employer of the loss
2 covered under this Section.

3 (c) If more than one death occurs that qualifies a person
4 to take leave under this Section in a 12-month period, an
5 employee is entitled to a maximum of 3 days of unpaid
6 bereavement leave in a 12-month period under this Section.

7 (820 ILCS 154/15)

8 Sec. 15. Existing leave usable for bereavement and family
9 reasons.

10 (a) An employee who is entitled to take paid or unpaid
11 leave (including family, medical, sick, annual, personal, or
12 similar leave) from employment, pursuant to federal, State, or
13 local law, a collective bargaining agreement, or an employment
14 benefits program or plan may elect to substitute any period of
15 such leave for an equivalent period of leave provided under
16 Section 10.

17 (b) The bereavement leave provided under this Act is in
18 addition to the unpaid leave time allowed under the federal
19 Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

20 (Source: P.A. 99-703, eff. 7-29-16.)

21 (820 ILCS 154/20)

22 Sec. 20. Employer ~~Unlawful—employer~~ practices. It is
23 unlawful for any employer to take any adverse action against
24 an employee because the employee (1) exercises rights or

1 attempts to exercise rights under this Act, (2) opposes
2 practices which such employee believes to be in violation of
3 this Act, or (3) supports the exercise of rights of another
4 under this Act.

5 Exercising rights under this Act includes using or
6 requesting to use bereavement leave under this Act, filing an
7 action or instituting or causing to be instituted any
8 proceeding under or related to this Act; providing or agreeing
9 to provide any information in connection with any inquiry or
10 proceeding relating to any right provided under this Act; or
11 testifying to or agreeing to testify in any inquiry or
12 proceeding relating to any right provided under this Act.

13 (b) An employer may require that an employee provide the
14 employer with at least 48 hours of advance notice of the
15 employee's intention to take bereavement leave, unless
16 providing the notice is not foreseeable, reasonable, and
17 practicable.

18 (c) An employer may, but is not required to, require
19 reasonable documentation for the use of any form of leave
20 afforded under this Act as follows:

21 (1) For a leave event related to the death of a covered
22 family member under paragraphs (1), (2), and (3) of
23 subsection (a) of Section 10, reasonable documentation
24 shall include a death certificate, a published obituary,
25 or written verification of death, burial, or memorial
26 services from a mortuary, funeral home, burial society,

1 crematorium, religious institution, or government agency.

2 (2) For a leave event related to a reproductive event
3 under paragraph (4) of subsection (a) of Section 10,
4 reasonable documentation shall include a form, to be
5 provided by the Department, to be filled out by a health
6 care practitioner who has treated the employee or the
7 employee's spouse or domestic partner, or surrogate, for
8 an event listed under paragraph (4) of subsection (a) of
9 Section 10, or documentation from the adoption or
10 surrogacy organization that the employee worked with
11 related to an event listed under paragraph (4) of
12 subsection (a) of Section 10, certifying that the employee
13 or his or her spouse or domestic partner has experienced
14 an event listed under paragraph (4) of subsection (a) of
15 Section 10. The employer may not require that the employee
16 identify which category of reproductive event the leave
17 pertains to as a condition of exercising rights under this
18 Act.

19 (3) For a leave event related to the death of a child
20 under Section 12, reasonable documentation shall include a
21 death certificate, a published obituary, or written
22 verification of death, burial, or memorial services from a
23 mortuary, funeral home, burial society, crematorium,
24 religious institution, or government agency.

25 (4) For a leave event related to the death of any other
26 person under Section 14, reasonable documentation shall

1 include a death certificate, a published obituary, or
2 written verification of death, burial, or memorial
3 services from a mortuary, funeral home, burial society,
4 crematorium, religious institution, or government agency.

5 (Source: P.A. 99-703, eff. 7-29-16.)

6 (820 ILCS 154/25)

7 Sec. 25. Department responsibilities.

8 (a) The Department shall administer and enforce this Act
9 and adopt rules under the Illinois Administrative Procedure
10 Act for the purpose of this Act. The Department shall review
11 complaints to determine whether there is cause for
12 investigation. The Department shall have the powers and the
13 parties shall have the rights provided in the Illinois
14 Administrative Procedure Act for contested cases. The
15 Department shall have the power to conduct investigations in
16 connection with the administration and enforcement of this
17 Act, including the power to conduct depositions and discovery
18 and to issue subpoenas. If the Department finds cause to
19 believe that this Act has been violated, the Department shall
20 notify the parties in writing and the matter shall be referred
21 to an Administrative Law Judge to schedule a formal hearing in
22 accordance with hearing procedures established by rule.

23 (b) The Department is authorized to impose civil penalties
24 prescribed in Section 30 in administrative proceedings that
25 comply with the Illinois Administrative Procedure Act and to

1 supervise the payment of the unpaid wages and damages owing to
2 the employee or employees under this Act. The Department may
3 bring any legal action necessary to recover the amount of
4 unpaid wages, damages, and penalties, and the employer shall
5 be required to pay the costs. Any sums recovered by the
6 Department on behalf of an employee under this Act shall be
7 paid to the employee or employees affected. However, 20% of
8 any penalty collected from the employer for a violation of
9 this Act shall be deposited into the Paid Leave for All Workers
10 ~~Child Labor and Day and Temporary Labor Services Enforcement~~
11 Fund.

12 (c) The Attorney General may bring an action to enforce
13 the collection of any civil penalty imposed under this Act.

14 (Source: P.A. 104-2, eff. 6-16-25.)

15 (820 ILCS 154/35)

16 Sec. 35. Use of other bereavement leave ~~Other law.~~ An
17 employee who uses unpaid bereavement leave under Section 10,
18 12, or 14 may not use unpaid bereavement leave under a
19 different Section for the death of the same person. ~~A person~~
20 ~~who uses leave under the Child Extended Bereavement Leave Act~~
21 ~~because of the death of a child may not take leave under this~~
22 ~~Act because of the death of the same child.~~

23 (Source: P.A. 103-466, eff. 1-1-24.)

24 (820 ILCS 156/Act rep.)

1 Section 10. The Child Extended Bereavement Leave Act is
2 repealed.

3 Section 15. The Victims' Economic Security and Safety Act
4 is amended by changing Section 20 as follows:

5 (820 ILCS 180/20)

6 Sec. 20. Entitlement to leave due to domestic violence,
7 sexual violence, gender violence, or any other crime of
8 violence.

9 (a) Leave requirement.

10 (1) Basis. An employee who is a victim of domestic
11 violence, sexual violence, gender violence, or any other
12 crime of violence or an employee who has a family or
13 household member who is a victim of domestic violence,
14 sexual violence, gender violence, or any other crime of
15 violence whose interests are not adverse to the employee
16 as it relates to the domestic violence, sexual violence,
17 gender violence, or any other crime of violence may take
18 unpaid leave from work if the employee or employee's
19 family or household member is experiencing an incident of
20 domestic violence, sexual violence, gender violence, or
21 any other crime of violence or to address domestic
22 violence, sexual violence, gender violence, or any other
23 crime of violence by:

24 (A) seeking medical attention for, or recovering

1 from, physical or psychological injuries caused by
2 domestic violence, sexual violence, gender violence,
3 or any other crime of violence to the employee or the
4 employee's family or household member;

5 (B) obtaining services from a victim services
6 organization for the employee or the employee's family
7 or household member;

8 (C) obtaining psychological or other counseling
9 for the employee or the employee's family or household
10 member;

11 (D) participating in safety planning, temporarily
12 or permanently relocating, or taking other actions to
13 increase the safety of the employee or the employee's
14 family or household member from future domestic
15 violence, sexual violence, gender violence, or any
16 other crime of violence or ensure economic security;

17 (E) seeking legal assistance or remedies to ensure
18 the health and safety of the employee or the
19 employee's family or household member, including
20 preparing for or participating in any civil, criminal,
21 or military legal proceeding related to or derived
22 from domestic violence, sexual violence, gender
23 violence, or any other crime of violence;

24 (F) attending the funeral or alternative to a
25 funeral or wake of a family or household member who is
26 killed in a crime of violence;

1 (G) making arrangements necessitated by the death
2 of a family or household member who is killed in a
3 crime of violence; or

4 (H) grieving the death of a family or household
5 member who is killed in a crime of violence.

6 (2) Period. Subject to subsection (c) and except as
7 provided in paragraph (4) of this subsection, an employee
8 working for an employer that employs at least 50 employees
9 shall be entitled to a total of 12 workweeks of leave
10 during any 12-month period. Subject to subsection (c) and
11 except as provided in paragraph (4) of this subsection, an
12 employee working for an employer that employs at least 15
13 but not more than 49 employees shall be entitled to a total
14 of 8 workweeks of leave during any 12-month period.
15 Subject to subsection (c) and except as provided in
16 paragraph (4) of this subsection, an employee working for
17 an employer that employs at least one but not more than 14
18 employees shall be entitled to a total of 4 workweeks of
19 leave during any 12-month period. The total number of
20 workweeks to which an employee is entitled shall not
21 decrease during the relevant 12-month period. This Act
22 does not create a right for an employee to take unpaid
23 leave that exceeds the unpaid leave time allowed under, or
24 is in addition to the unpaid leave time permitted by, the
25 federal Family and Medical Leave Act of 1993 (29 U.S.C.
26 2601 et seq.).

1 (3) Schedule. Leave described in paragraph (1) may be
2 taken consecutively, intermittently, or on a reduced work
3 schedule.

4 (4) Exceptions. An employee shall be entitled to use a
5 cumulative total of not more than 2 workweeks (10 work
6 days) of unpaid leave for the purposes described in
7 subparagraph ~~subparagraphs~~ (F), (G), or (H) of paragraph
8 (1), which must be completed within 60 days after the date
9 on which the employee receives notice of the death of the
10 victim, and is subject to the following:

11 (A) Except as provided in paragraph ~~subparagraph~~
12 (2), if an employee is also entitled to taken unpaid
13 bereavement leave under the ~~Family~~ Bereavement Leave
14 Act as a result of the death of the victim, this Act
15 does not create a right for the employee to take unpaid
16 bereavement leave that exceeds, or is in addition to,
17 the unpaid bereavement leave the employee is entitled
18 to take under the ~~Family~~ Bereavement Leave Act.

19 (B) If an employee is also entitled to take unpaid
20 bereavement leave under the ~~Family~~ Bereavement Leave
21 Act as a result of the death of the victim, leave taken
22 under this Act for the purposes described in
23 subparagraph ~~subparagraphs~~ (F), (G), or (H) of
24 paragraph (1) or leave taken under the ~~Family~~
25 Bereavement Leave Act shall be in addition to, and
26 shall not diminish, the total amount of leave time an

1 employee is entitled to under paragraph (2).

2 (C) If an employee is not entitled to unpaid
3 bereavement leave under the ~~Family~~ Bereavement Leave
4 Act as a result of the death of the victim, leave taken
5 for the purposes described in subparagraph
6 ~~subparagraphs~~ (F), (G), or (H) of paragraph (1) shall
7 be deducted from, and is not in addition to, the total
8 amount of leave time an employee is entitled to under
9 paragraph (2).

10 (D) Leave taken for the purposes described in
11 subparagraph ~~subparagraphs~~ (F), (G), or (H) of
12 paragraph (1) shall not otherwise limit or diminish
13 the total amount of leave time an employee is entitled
14 to take under paragraph (2).

15 (b) Notice. The employee shall provide the employer with
16 at least 48 hours' advance notice of the employee's intention
17 to take the leave, unless providing such notice is not
18 practicable. When an unscheduled absence occurs, the employer
19 may not take any action against the employee if the employee,
20 upon request of the employer and within a reasonable period
21 after the absence, provides certification under subsection
22 (c).

23 (c) Certification.

24 (1) In general. The employer may require the employee
25 to provide certification to the employer that:

26 (A) the employee or the employee's family or

1 household member is a victim of domestic violence,
2 sexual violence, gender violence, or any other crime
3 of violence; and

4 (B) the leave is for one of the purposes
5 enumerated in paragraph (1) of subsection (a) ~~(a)(1)~~.

6 The employee shall provide such certification to the
7 employer within a reasonable period after the employer
8 requests certification.

9 (2) Contents. An employee may satisfy the
10 certification requirement of paragraph (1) by providing to
11 the employer a sworn statement of the employee, and if the
12 employee has possession of such document, the employee
13 shall provide one of the following documents:

14 (A) documentation from an employee, agent, or
15 volunteer of a victim services organization, an
16 attorney, a member of the clergy, or a medical or other
17 professional from whom the employee or the employee's
18 family or household member has sought assistance in
19 addressing domestic violence, sexual violence, gender
20 violence, or any other crime of violence and the
21 effects of the violence;

22 (B) a police, court, or military record;

23 (B-5) a death certificate, published obituary, or
24 written verification of death, burial, or memorial
25 services from a mortuary, funeral home, burial
26 society, crematorium, religious institution, or

1 government agency, documenting that a victim was
2 killed in a crime of violence; or

3 (C) other corroborating evidence.

4 The employee shall choose which document to submit,
5 and the employer shall not request or require more than
6 one document to be submitted during the same 12-month
7 period leave is requested or taken if the reason for leave
8 is related to the same incident or incidents of violence
9 or the same perpetrator or perpetrators of the violence.

10 (d) Confidentiality. All information provided to the
11 employer pursuant to subsection (b) or (c), including a
12 statement of the employee or any other documentation, record,
13 or corroborating evidence, and the fact that the employee has
14 requested or obtained leave pursuant to this Section, shall be
15 retained in the strictest confidence by the employer, except
16 to the extent that disclosure is:

17 (1) requested or consented to in writing by the
18 employee; or

19 (2) otherwise required by applicable federal or State
20 law.

21 (e) Employment and benefits.

22 (1) Restoration to position.

23 (A) In general. Any employee who takes leave under
24 this Section for the intended purpose of the leave
25 shall be entitled, on return from such leave:

26 (i) to be restored by the employer to the

1 position of employment held by the employee when
2 the leave commenced; or

3 (ii) to be restored to an equivalent position
4 with equivalent employment benefits, pay, and
5 other terms and conditions of employment.

6 (B) Loss of benefits. The taking of leave under
7 this Section shall not result in the loss of any
8 employment benefit accrued prior to the date on which
9 the leave commenced.

10 (C) Limitations. Nothing in this subsection shall
11 be construed to entitle any restored employee to:

12 (i) the accrual of any seniority or employment
13 benefits during any period of leave; or

14 (ii) any right, benefit, or position of
15 employment other than any right, benefit, or
16 position to which the employee would have been
17 entitled had the employee not taken the leave.

18 (D) Construction. Nothing in this paragraph shall
19 be construed to prohibit an employer from requiring an
20 employee on leave under this Section to report
21 periodically to the employer on the status and
22 intention of the employee to return to work.

23 (2) Maintenance of health benefits.

24 (A) Coverage. Except as provided in subparagraph
25 (B), during any period that an employee takes leave
26 under this Section, the employer shall maintain

1 coverage for the employee and any family or household
2 member under any group health plan for the duration of
3 such leave at the level and under the conditions
4 coverage would have been provided if the employee had
5 continued in employment continuously for the duration
6 of such leave.

7 (B) Failure to return from leave. The employer may
8 recover the premium that the employer paid for
9 maintaining coverage for the employee and the
10 employee's family or household member under such group
11 health plan during any period of leave under this
12 Section if:

13 (i) the employee fails to return from leave
14 under this Section after the period of leave to
15 which the employee is entitled has expired; and

16 (ii) the employee fails to return to work for
17 a reason other than:

18 (I) the continuation, recurrence, or onset
19 of domestic violence, sexual violence, gender
20 violence, or any other crime of violence that
21 entitles the employee to leave pursuant to
22 this Section; or

23 (II) other circumstances beyond the
24 control of the employee.

25 (C) Certification.

26 (i) Issuance. An employer may require an

1 employee who claims that the employee is unable to
2 return to work because of a reason described in
3 subclause (I) or (II) of clause (ii) of
4 subparagraph (B) ~~(B)(ii)~~ to provide, within a
5 reasonable period after making the claim,
6 certification to the employer that the employee is
7 unable to return to work because of that reason.

8 (ii) Contents. An employee may satisfy the
9 certification requirement of clause (i) by
10 providing to the employer:

11 (I) a sworn statement of the employee;

12 (II) documentation from an employee,
13 agent, or volunteer of a victim services
14 organization, an attorney, a member of the
15 clergy, or a medical or other professional
16 from whom the employee has sought assistance
17 in addressing domestic violence, sexual
18 violence, gender violence, or any other crime
19 of violence and the effects of that violence;

20 (III) a police, court, or military record;

21 or

22 (IV) other corroborating evidence.

23 The employee shall choose which document to
24 submit, and the employer shall not request or require
25 more than one document to be submitted.

26 (D) Confidentiality. All information provided to

1 the employer pursuant to subparagraph (C), including a
2 statement of the employee or any other documentation,
3 record, or corroborating evidence, and the fact that
4 the employee is not returning to work because of a
5 reason described in subclause (I) or (II) of clause
6 (ii) of subparagraph (B) ~~(B)(ii)~~ shall be retained in
7 the strictest confidence by the employer, except to
8 the extent that disclosure is:

9 (i) requested or consented to in writing by
10 the employee; or

11 (ii) otherwise required by applicable federal
12 or State law.

13 (f) Prohibited acts.

14 (1) Interference with rights.

15 (A) Exercise of rights. It shall be unlawful for
16 any employer to interfere with, restrain, or deny the
17 exercise of or the attempt to exercise any right
18 provided under this Section.

19 (B) Employer discrimination. It shall be unlawful
20 for any employer to discharge or harass any
21 individual, or otherwise discriminate against any
22 individual with respect to compensation, terms,
23 conditions, or privileges of employment of the
24 individual (including retaliation in any form or
25 manner) because the individual:

26 (i) exercised any right provided under this

1 Section; or

2 (ii) opposed any practice made unlawful by
3 this Section.

4 (C) Public agency sanctions. It shall be unlawful
5 for any public agency to deny, reduce, or terminate
6 the benefits of, otherwise sanction, or harass any
7 individual, or otherwise discriminate against any
8 individual with respect to the amount, terms, or
9 conditions of public assistance of the individual
10 (including retaliation in any form or manner) because
11 the individual:

12 (i) exercised any right provided under this
13 Section; or

14 (ii) opposed any practice made unlawful by
15 this Section.

16 (2) Interference with proceedings or inquiries. It
17 shall be unlawful for any person to discharge or in any
18 other manner discriminate (as described in subparagraph
19 (B) or (C) of paragraph (1)) against any individual
20 because such individual:

21 (A) has filed any charge, or has instituted or
22 caused to be instituted any proceeding, under or
23 related to this Section;

24 (B) has given, or is about to give, any
25 information in connection with any inquiry or
26 proceeding relating to any right provided under this

1 Section; or

2 (C) has testified, or is about to testify, in any
3 inquiry or proceeding relating to any right provided
4 under this Section.

5 (Source: P.A. 102-487, eff. 1-1-22; 102-890, eff. 5-19-22;
6 103-314, eff. 1-1-24; revised 7-10-25.)

7 Section 20. The Child Labor Law of 2024 is amended by
8 changing Section 75 as follows:

9 (820 ILCS 206/75)

10 Sec. 75. Civil penalties.

11 (a) Any person employing, allowing, or permitting a minor
12 to work who violates any of the provisions of this Act or any
13 rule adopted under the Act shall be subject to civil penalties
14 as follows:

15 (1) if a minor dies while working for an employer who
16 is found by the Department to have been employing,
17 allowing, or permitting the minor to work in violation of
18 this Act, the employer is subject to a penalty not to
19 exceed \$60,000, payable to the Department;

20 (2) if a minor receives an illness or an injury that is
21 required to be reported to the Department under Section 35
22 while working for an employer who is found by the
23 Department to have been employing, allowing, or permitting
24 the minor to work in violation of this Act, the employer is

1 subject to a penalty not to exceed \$30,000, payable to the
2 Department;

3 (3) an employer who employs, allows, or permits a
4 minor to work in violation of Section 40 shall be subject
5 to a penalty not to exceed \$15,000, payable to the
6 Department;

7 (4) an employer who fails to post or provide the
8 required notice under subsection (g) of Section 35 shall
9 be subject to a penalty not to exceed \$500, payable to the
10 Department; and

11 (5) an employer who commits any other violation of
12 this Act shall be subject to a penalty not to exceed
13 \$10,000, payable to the Department.

14 In determining the amount of the penalty, the
15 appropriateness of the penalty to the size of the business of
16 the employer charged and the gravity of the violation shall be
17 considered.

18 Each day during which any violation of this Act continues
19 shall constitute a separate and distinct offense, and the
20 employment of any minor in violation of the Act shall, with
21 respect to each minor so employed, constitute a separate and
22 distinct offense.

23 (b) Any administrative determination by the Department of
24 the amount of each penalty shall be final unless reviewed as
25 provided in Section 70.

26 (c) The amount of the penalty, when finally determined,

1 may be recovered in a civil action brought by the Director in
2 any circuit court, in which litigation the Director shall be
3 represented by the Attorney General. In an action brought by
4 the Department, the Department may request, and the Court may
5 impose on a defendant employer, an additional civil penalty of
6 up to an amount equal to the penalties assessed by the
7 Department to be distributed to an impacted minor. In an
8 action concerning multiple minors, any such penalty imposed by
9 the Court shall be distributed equally among the minors
10 employed in violation of this Act by the defendant employer.

11 (d) Penalties recovered under this Section shall be paid
12 by certified check, money order, or by an electronic payment
13 system designated by the Department, and deposited into the
14 Child Labor and Day and Temporary Labor Services Enforcement
15 Fund, a special fund in the State treasury. Moneys in the Fund
16 shall be used, subject to appropriation, for exemplary
17 programs, demonstration projects, and other activities or
18 purposes related to the enforcement of this Act, and for the
19 activities or purposes related to the enforcement of the Day
20 and Temporary Labor Services Act, the Private Employment
21 Agency Act, ~~or~~ the Right to Privacy in the Workplace Act, ~~for~~
22 ~~the activities or purposes related to the enforcement of the~~
23 Job Opportunities for Qualified Applicants Act, and ~~for the~~
24 ~~activities or purposes related to the enforcement of the~~
25 Family Bereavement Leave Act.

26 (Source: P.A. 103-721, eff. 1-1-25; 104-2, eff. 6-16-25;

1 104-455, eff. 12-12-25; revised 1-8-26.)