

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

6 Section 5. The Family Bereavement Leave Act is amended by
7 changing Sections 1, 5, 10, 15, 20, 25, 30 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 that:

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

19 (2) the General Assembly broadened the protections
20 provided in this Act through Public Act 102-1050,
21 effective June 9, 2022, and renamed it the Family

1 Bereavement Leave Act;

2 (3) the General Assembly subsequently enacted the
3 Child Extended Bereavement Leave Act as a separate Act
4 through Public 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) this Act, which may be cited as the Bereavement
9 Leave Act, is established to provide for comprehensive and
10 effective administration and enforcement of these
11 statutory 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 the
19 employee's work, both under the employee's contract of
20 service with the employer and 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 wage 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" includes the State or a unit of local government,
11 any political subdivision of the State or a unit of local
12 government, or any State or local government agency.

13 "Employer" does not include the federal government or an
14 agency of the federal government ~~employer, as defined by~~
15 ~~Section 101(4) of the federal Family and Medical Leave Act of~~
16 ~~1993 (29 U.S.C. 2601 et seq.).~~

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

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

1 (820 ILCS 154/10)

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

3 (a) In addition to the bereavement leave afforded in
4 Sections 12 and 14, all ~~All~~ employees shall be entitled to use
5 an amount ~~a maximum of 2 weeks (10 work days)~~ of unpaid
6 bereavement leave to, in accordance with the time limits set
7 forth in subsection (a-5):

8 (1) attend the funeral or alternative to a funeral of
9 a covered family member;

10 (2) make arrangements necessitated by the death of the
11 covered family member;

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

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

21 (a-5) An employee of an employer who employs fewer than 50
22 employees is entitled to use a maximum of 5 days of unpaid
23 bereavement leave provided for in subsection (a) during any
24 12-month period. An employee of an employer who employs 50 or
25 more employees is entitled to use a maximum of 10 days of
26 unpaid bereavement leave provided for in subsection (a) during

1 any 12-month period.

2 (b) Bereavement leave under subsection (a) of this Section
3 must be taken ~~completed~~ within 60 days after the date on which
4 the employee receives notice of the death of the covered
5 family member or the date on which an event listed under
6 paragraph (4) of subsection (a) occurs. Bereavement leave
7 under this Section may be taken in a single continuous period
8 or intermittently in increments of no less than 4 hours.

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

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

~~certifying that the employee or his or her spouse or domestic partner has experienced an event listed under paragraph (4) of subsection (a). The employer may not require that the employee identify which category of event the leave pertains to as a condition of exercising rights under this Act.~~

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

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

(820 ILCS 154/12 new)

Sec. 12. Child extended bereavement leave.

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

(1) An employee of an employer who employs fewer than 50 employees is entitled to use a maximum of 3 workweeks of unpaid bereavement leave during any 12-month period if the employee experiences the loss of a child.

(2) An employee of an employer who employs 50 or more employees but fewer than 250 employees is entitled to use a maximum of 6 workweeks of unpaid bereavement leave

1 during any 12-month period if the employee experiences the
2 loss of a child.

3 (3) An employee of an employer who employs 250 or more
4 employees is entitled to use a maximum of 12 workweeks of
5 unpaid bereavement leave during any 12-month period if the
6 employee experiences the loss of a child.

7 (b) This Section does not apply to employees of the State,
8 except for employees who are not otherwise eligible for family
9 responsibility leave or a leave of absence without pay.

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

15 (820 ILCS 154/14 new)

16 Sec. 14. General bereavement leave.

17 (a) In addition to the bereavement leave afforded in
18 Sections 10 and 12, all employees shall be entitled to use a
19 maximum of 3 days of unpaid bereavement leave during any
20 12-month period to:

21 (1) attend the funeral or alternative to a funeral of
22 any person; or

23 (2) make arrangements necessitated by the death of any
24 person.

25 (b) Bereavement leave under this Section may be taken in a

1 single continuous period or intermittently in increments of no
2 less than 4 hours, but leave must be taken within 60 calendar
3 days after the employee notifies the employer of the loss
4 covered under this Section.

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

10 (d) This Section does not apply to employees of the State,
11 except for employees who are otherwise not eligible for family
12 responsibility leave or a leave of absence without pay.

13 (820 ILCS 154/15)

14 Sec. 15. Existing leave usable for bereavement and family
15 reasons.

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

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

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

2 (820 ILCS 154/20)

3 Sec. 20. Employer ~~Unlawful employer~~ practices.

4 (a) It is unlawful for any employer to take any adverse
5 action against an employee because the employee (1) exercises
6 rights or attempts to exercise rights under this Act, (2)
7 opposes practices which such employee believes to be in
8 violation of this Act, or (3) supports the exercise of rights
9 of another under this Act.

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

18 (b) An employer may require that an employee provide the
19 employer with at least 48 hours of advance notice of the
20 employee's intention to take bereavement leave, unless
21 providing the notice is not foreseeable, reasonable, and
22 practicable.

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

1 (1) For a leave event related to the death of a covered
2 family member under paragraphs (1), (2), and (3) of
3 subsection (a) of Section 10, reasonable documentation
4 shall include a death certificate, a published obituary,
5 or written verification of death, burial, or memorial
6 services from a mortuary, funeral home, burial society,
7 crematorium, religious institution, or government agency.

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

25 (3) For a leave event related to the death of a child
26 under Section 12, reasonable documentation shall include a

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

5 (4) For a leave event related to the death of any other
6 person under Section 14, reasonable documentation shall
7 include a death certificate, a published obituary, or
8 written verification of death, burial, or memorial
9 services from a mortuary, funeral home, burial society,
10 crematorium, religious institution, or government agency.

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

12 (820 ILCS 154/25)

13 Sec. 25. Department responsibilities.

14 (a) The Department shall administer and enforce this Act
15 and adopt rules under the Illinois Administrative Procedure
16 Act for the purpose of this Act. The Department shall review
17 complaints to determine whether there is cause for
18 investigation. The Department shall have the powers and the
19 parties shall have the rights provided in the Illinois
20 Administrative Procedure Act for contested cases. The
21 Department shall have the power to conduct investigations in
22 connection with the administration and enforcement of this
23 Act, including the power to conduct depositions and discovery
24 and to issue subpoenas. If the Department finds cause to
25 believe that this Act has been violated, the Department shall

1 notify the parties in writing and the matter shall be referred
2 to an Administrative Law Judge to schedule a formal hearing in
3 accordance with hearing procedures established by rule.

4 (b) The Department is authorized to impose civil penalties
5 prescribed in Section 30 in administrative proceedings that
6 comply with the Illinois Administrative Procedure Act and to
7 supervise the payment of the unpaid wages and damages owing to
8 the employee or employees under this Act. The Department may
9 bring any legal action necessary to recover the amount of
10 unpaid wages, damages, and penalties, and the employer shall
11 be required to pay the costs. Any sums recovered by the
12 Department on behalf of an employee under this Act shall be
13 paid to the employee or employees affected. However, 20% of
14 any penalty collected from the employer for a violation of
15 this Act shall be deposited into the Paid Leave for All Workers
16 ~~Child Labor and Day and Temporary Labor Services Enforcement~~
17 Fund.

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

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

21 (820 ILCS 154/30)

22 Sec. 30. Enforcement.

23 (a) Except as provided in subsection (c), an ~~An~~ employee
24 who believes his or her rights under this Act or any rule
25 adopted under this Act have been violated may, within 60 days

1 after the date of the last event constituting the alleged
2 violation for which the action is brought, file a complaint
3 with the Department or file a civil action.

4 (b) An employer that violates any provision of this Act or
5 any rule adopted under this Act is subject to a civil penalty
6 for each employee affected as follows:

7 (1) first offense, a civil penalty not to exceed \$500;

8 (2) second or subsequent offense, a civil penalty not
9 to exceed \$1,000.

10 (c) A civil action may be brought in the circuit court by
11 an employee against an employer who employs 50 or more
12 employees to enforce this Act. The circuit court may enjoin
13 any act or practice that violates or may violate this Act and
14 may order any other equitable relief that is necessary and
15 appropriate to redress the violation or to enforce the Act.

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

17 (820 ILCS 154/35)

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

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

1 (820 ILCS 156/Act rep.)

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

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

6 (820 ILCS 180/20)

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

10 (a) Leave requirement.

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

1 crime of violence by:

2 (A) seeking medical attention for, or recovering
3 from, physical or psychological injuries caused by
4 domestic violence, sexual violence, gender violence,
5 or any other crime of violence to the employee or the
6 employee's family or household member;

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

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

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

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

26 (F) attending the funeral or alternative to a

1 funeral or wake of a family or household member who is
2 killed in a crime of violence;

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

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

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

1 federal Family and Medical Leave Act of 1993 (29 U.S.C.
2 2601 et seq.).

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

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

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

22 (B) If an employee is also entitled to take unpaid
23 bereavement leave under the ~~Family~~ Bereavement Leave
24 Act as a result of the death of the victim, leave taken
25 under this Act for the purposes described in
26 subparagraph ~~subparagraphs~~ (F), (G), or (H) of

1 paragraph (1) or leave taken under the ~~Family~~
2 Bereavement Leave Act shall be in addition to, and
3 shall not diminish, the total amount of leave time an
4 employee is entitled to under paragraph (2).

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

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

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

26 (c) Certification.

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

3 (A) the employee or the employee's family or
4 household member is a victim of domestic violence,
5 sexual violence, gender violence, or any other crime
6 of violence; and

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

9 The employee shall provide such certification to the
10 employer within a reasonable period after the employer
11 requests certification.

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

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

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

26 (B-5) a death certificate, published obituary, or

1 written verification of death, burial, or memorial
2 services from a mortuary, funeral home, burial
3 society, crematorium, religious institution, or
4 government agency, documenting that a victim was
5 killed in a crime of violence; or

6 (C) other corroborating evidence.

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

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

20 (1) requested or consented to in writing by the
21 employee; or

22 (2) otherwise required by applicable federal or State
23 law.

24 (e) Employment and benefits.

25 (1) Restoration to position.

26 (A) In general. Any employee who takes leave under

1 this Section for the intended purpose of the leave
2 shall be entitled, on return from such leave:

3 (i) to be restored by the employer to the
4 position of employment held by the employee when
5 the leave commenced; or

6 (ii) to be restored to an equivalent position
7 with equivalent employment benefits, pay, and
8 other terms and conditions of employment.

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

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

15 (i) the accrual of any seniority or employment
16 benefits during any period of leave; or

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

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

26 (2) Maintenance of health benefits.

1 control of the employee.

2 (C) Certification.

3 (i) Issuance. An employer may require an
4 employee who claims that the employee is unable to
5 return to work because of a reason described in
6 subclause (I) or (II) of clause (i) of
7 subparagraph (B) ~~(B)(ii)~~ to provide, within a
8 reasonable period after making the claim,
9 certification to the employer that the employee is
10 unable to return to work because of that reason.

11 (ii) Contents. An employee may satisfy the
12 certification requirement of clause (i) by
13 providing to the employer:

14 (I) a sworn statement of the employee;

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

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

24 or

25 (IV) other corroborating evidence.

26 The employee shall choose which document to

1 submit, and the employer shall not request or require
2 more than one document to be submitted.

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

12 (i) requested or consented to in writing by
13 the employee; or

14 (ii) otherwise required by applicable federal
15 or State law.

16 (f) Prohibited acts.

17 (1) Interference with rights.

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

22 (B) Employer discrimination. It shall be unlawful
23 for any employer to discharge or harass any
24 individual, or otherwise discriminate against any
25 individual with respect to compensation, terms,
26 conditions, or privileges of employment of the

1 individual (including retaliation in any form or
2 manner) because the individual:

3 (i) exercised any right provided under this
4 Section; or

5 (ii) opposed any practice made unlawful by
6 this Section.

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

15 (i) exercised any right provided under this
16 Section; or

17 (ii) opposed any practice made unlawful by
18 this Section.

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

24 (A) has filed any charge, or has instituted or
25 caused to be instituted any proceeding, under or
26 related to this Section;

1 (B) has given, or is about to give, any
2 information in connection with any inquiry or
3 proceeding relating to any right provided under this
4 Section; or

5 (C) has testified, or is about to testify, in any
6 inquiry or proceeding relating to any right provided
7 under this Section.

8 (Source: P.A. 102-487, eff. 1-1-22; 102-890, eff. 5-19-22;
9 103-314, eff. 1-1-24; revised 7-10-25.)

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

12 (820 ILCS 206/75)

13 Sec. 75. Civil penalties.

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

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

23 (2) if a minor receives an illness or an injury that is
24 required to be reported to the Department under Section 35

1 while working for an employer who is found by the
2 Department to have been employing, allowing, or permitting
3 the minor to work in violation of this Act, the employer is
4 subject to a penalty not to exceed \$30,000, payable to the
5 Department;

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

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

14 (5) an employer who commits any other violation of
15 this Act shall be subject to a penalty not to exceed
16 \$10,000, payable to the Department.

17 In determining the amount of the penalty, the
18 appropriateness of the penalty to the size of the business of
19 the employer charged and the gravity of the violation shall be
20 considered.

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

26 (b) Any administrative determination by the Department of

1 the amount of each penalty shall be final unless reviewed as
2 provided in Section 70.

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

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

1 ~~activities or purposes related to the enforcement of the~~
2 ~~Family~~ Bereavement Leave Act.

3 (Source: P.A. 103-721, eff. 1-1-25; 104-2, eff. 6-16-25;
4 104-455, eff. 12-12-25; revised 1-8-26.)