



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2332

Introduced 2/26/2021, by Sen. Celina Villanueva

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.935 new

Creates the Illinois Employee Security Act. Establishes a framework for employee discipline and discharge. Prohibits the unjust discharge of an employee. Requires employers to utilize progressive discipline measures. Limits the use of electronic monitoring. Provides for severance pay. Directs the Department of Labor to adopt rules and administer the Act. Provides statutory remedies for wrongfully discharged employees and authorizes the recovery of damages. Creates the Wrongful Discharge Enforcement Fund as a special fund in the State treasury. Applies to disciplinary and discharge actions occurring one year after the Act's effective date. Effective January 1, 2022.

LRB102 16623 JLS 22023 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

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. Short title. This Act may be cited as the
5 Illinois Employee Security Act.

6 Section 5. In this Act:

7 "Benefits" means the cash value of any employer-paid
8 vacation leave, sick leave, medical insurance plan, disability
9 insurance plan, life insurance plan, annuity, and pension
10 benefit plan in effect on the date of discharge.

11 "Casual employee" means an employee who performs work in
12 or around a private home that is irregular, uncertain, or
13 incidental in nature and duration.

14 "Constructive discharge" means the voluntary termination
15 of employment by an employee because of a situation created by
16 an act or omission of the employer that an objective,
17 reasonable person would find so intolerable that voluntary
18 termination is the only reasonable alternative.

19 "Department" means the Department of Labor.

20 "Discharge" means any cessation of employment, including
21 constructive discharge, indefinite suspension, layoff, or
22 reduction in hours.

23 "Egregious misconduct" means deliberate or grossly

1 negligent conduct that endangers the safety or well-being of
2 the individual, co-workers, customers, or other persons,
3 including discrimination against or harassment of co-workers,
4 customers, or other persons, or that causes serious damage to
5 the employer's or customers' property or business interests.

6 "Electronic monitoring" means the collection of
7 information concerning worker activities, communications,
8 actions, biometrics, or behaviors by electronic means
9 including, but not limited to, video or audio surveillance,
10 electronic work pace tracking, and other means.

11 "Employ" means to suffer or permit to work.

12 "Employee" has the meaning given that term in Section 2 of
13 the Illinois Wage Payment and Collection Act, but does not
14 include a casual employee who performs work of an irregular
15 nature in or around a private home. A person may be an employee
16 of 2 or more employers at the same time.

17 "Employer" has the meaning given that term in Section 2 of
18 the Illinois Wage Payment and Collection Act. More than one
19 entity may be the employer of an employee, including in
20 circumstances where one entity controls, is controlled by, or
21 is under common control with another employer, or where one
22 entity exerts control over the operations of another employer.
23 An employer-employee relationship is presumed to exist when an
24 individual performs labor or services for an employer. The
25 party asserting that an individual is not an employee must
26 establish by a preponderance of the evidence that the

1 individual is an independent contractor.

2 "Full-time employee" means an employee who regularly works
3 at least 35 hours each week.

4 "Just cause" means:

5 (1) an employee's failure to satisfactorily perform
6 his or her job duties or to comply with employer policies
7 if the employee was afforded progressive discipline;

8 (2) an employee's egregious misconduct; or

9 (3) bona fide economic reasons.

10 "Progressive discipline" means an employer's disciplinary
11 system that provides a graduated range of reasonable responses
12 to an employee's failure to satisfactorily perform his or her
13 job duties or comply with employer policies, with the
14 disciplinary measures ranging from mild to severe, depending
15 on the frequency and degree of the failure, and the employee
16 being afforded a reasonable period of time to address
17 concerns.

18 "Reduction in hours" means a reduction in an employee's
19 hours of work totaling at least 15% of the employee's weekly
20 work hours.

21 "Relator" means a current or former employee, contractor,
22 subcontractor, or employee of such a contractor or
23 subcontractor of an alleged violator of this Act, regardless
24 of whether that person has received full or partial relief,
25 who seeks relief through a public enforcement action brought
26 under this Act.

1 "Representative organization" means a nonprofit or labor
2 organization selected by a relator to initiate a public
3 enforcement action on the relator's behalf.

4 "Short-term position" means employment pursuant to a
5 written contract that specifies that the position is to end
6 after a specified period of time, not to exceed 6 months, where
7 the employer can show that the work or need in question is
8 expected to end, such as in the case of a seasonal job or a job
9 to perform a specific project.

10 Section 10. Prohibition against unjust discharge.

11 (a) An employer shall not discharge an employee without
12 just cause. Just cause may not be based on off-duty conduct
13 unless there is a demonstrable and material nexus between the
14 conduct and the employee's job performance or the employer's
15 legitimate business interests.

16 (b) In determining whether an employee has been discharged
17 for just cause for failure to satisfactorily perform job
18 duties or for failure to comply with employer policies, the
19 fact finder shall consider, in addition to any other relevant
20 factors, whether:

21 (1) the employee knew or should have known of his or
22 her job duties or of the employer's policy;

23 (2) the employer provided relevant and adequate
24 training to the employee;

25 (3) the employer's policy was reasonable and applied

1 consistently; and

2 (4) the employer undertook a thorough, fair and
3 objective investigation.

4 (c) A discharge for failure to satisfactorily perform job
5 duties or comply with employer policies shall not be deemed to
6 be based on just cause unless the employer has used
7 progressive discipline. In interpreting and applying
8 progressive discipline, the principles developed in arbitral
9 precedents shall provide guidance. The time period between a
10 first warning or discipline and termination shall be not less
11 than 15 days, and the employer may not rely on a warning or
12 discipline issued more than one year in the past to justify a
13 discharge.

14 (d) Under progressive discipline, an employer may
15 discharge an employee immediately for egregious misconduct. A
16 finding of misconduct for purposes of unemployment insurance
17 eligibility shall not necessarily constitute serious
18 misconduct for purposes of this Act.

19 (e) A discharge shall not be deemed to be based on bona
20 fide economic reasons unless the following conditions are met:

21 (1) the discharge results from a reduction in
22 production, sales, services, profit, or funding of the
23 employer, or technological or organizational changes in
24 the employer's operations that necessitate full or partial
25 reduction of the employer's operations;

26 (2) the employees or groups of employees to be

1 discharged are identified using broadly applicable
2 criteria that do not appear to target individuals; and

3 (3) the bona fide economic reasons justifying the
4 discharge were specified in writing to the employee at the
5 time of the discharge and are supported by the employer's
6 records.

7 A discharge shall be presumed not to be based on bona fide
8 economic reasons where the employer hired or hires another
9 employee to perform substantially the same work within 90 days
10 before or after the discharge. Elimination of staff redundancy
11 created by a merger or acquisition shall not be deemed a bona
12 fide economic reason for discharge of employees.

13 (f) The employer shall within 3 days provide a written
14 explanation to any discharged employee of the specific reasons
15 for the discharge. In determining whether an employer had just
16 cause for discharge, a fact finder may not consider any
17 reasons not included in such written explanation. Where an
18 employer fails to provide a written explanation to a
19 discharged employee, the discharge shall not be deemed to be
20 based on just cause. All information and judgments that the
21 employer considered in making the determination shall be made
22 available to the employee or his or her representative.

23 (g) The employer shall bear the burden of proving just
24 cause including, if applicable, that the employer followed
25 progressive discipline, by a preponderance of non-hearsay
26 evidence in any proceeding brought pursuant to this Act.

1 (h) In no event shall any of the following actions by an
2 employee constitute just cause for termination:

3 (1) an employee's communication about workplace
4 practices or policies, including but not limited to health
5 or safety practices or hazards related to COVID-19, to any
6 person, including to an employer, an employer's agent,
7 other employees, a government agency or the public,
8 including through print, online, social media, or any
9 other media; or

10 (2) an employee's refusal to work under conditions
11 that the employee reasonably believes would expose him or
12 her, other employees or the public to an unreasonable
13 health or safety risk, including but not limited to risk
14 of illness or exposure to COVID-19.

15 An employer shall not retaliate against any employee or
16 other person for such conduct. Notwithstanding any other
17 provision of law, such conduct shall constitute protected
18 conduct and may not be contractually prohibited, or subject to
19 civil or criminal sanction or liability.

20 (i) An employer must conduct its own assessment of an
21 employee and may not rely on worker data gathered through
22 electronic monitoring in discharging, disciplining, or
23 promoting an employee. Employment decisions must be made based
24 on human-based information sources such as supervisors'
25 assessments and documentation or consulting co-workers. An
26 employer must disclose in advance to employees any electronic

1 monitoring or data collection at a workplace, disclose the
2 purposes for which the data will be used, and provide
3 employees meaningful opportunities to challenge any electronic
4 monitoring or data systems. However, data gathered through
5 electronic monitoring may be used in the following
6 circumstances: for non-employment-related purposes; for
7 discharging or disciplining an employee in cases of egregious
8 misconduct or involving threats to the health or safety of
9 other persons; or where required by State or federal law.

10 (j) Employment for a short-term position does not require
11 a showing of just cause for discharge, and discharge after a
12 short-term position does not entitle an employee to severance
13 pay under Section 15. A position shall not be deemed to be a
14 short-term position where the employer hires another employee
15 to perform substantially the same work within 90 days before
16 or after the discharge.

17 Section 15. Severance pay. An employee shall accrue one
18 hour of severance pay for every 12.5 hours worked during his or
19 her first year of employment, and for every 50 hours worked
20 thereafter. Upon discharge, the employer shall pay the
21 employee his or her accrued severance pay, calculated based on
22 the number of hours accrued multiplied by the employee's rate
23 of pay upon discharge. An employee who is discharged at the end
24 of a short-term position shall not be entitled to severance
25 pay. Severance pay shall be exclusive of final compensation

1 due an employee upon separation under the Illinois Wage
2 Payment and Collection Act. For purposes of determining an
3 employee's years of employment tenure or seniority, multiple
4 periods worked for the employer and any time worked for a
5 predecessor employer shall be aggregated.

6 Section 20. Employment through day and temporary labor
7 services agencies. Where an employee is employed by a day and
8 temporary labor services agency, as defined under the Day and
9 Temporary Labor Services Act, to perform work for a
10 third-party client, as defined under that Act, both the day
11 and temporary labor services agency and the third-party client
12 shall be deemed to be the employer of the employee for the
13 purposes of this Act. Both shall be jointly and severally
14 responsible for compliance with this Act's requirements, and
15 neither a third-party client nor a day and temporary labor
16 services agency may discharge an employee employed through a
17 day and temporary labor services agency without just cause,
18 except when done at the end of a short-term position.

19 Section 25. Collective bargaining agreement exemption. The
20 requirements of this Act do not apply to employees who are
21 covered by a valid collective bargaining agreement.

22 Section 30. Retaliation prohibited. No employer or any
23 other person shall threaten, intimidate, discipline,

1 discharge, demote, suspend, or harass an employee, reduce the
2 hours or pay of an employee, inform another employer that an
3 employee has alleged that the employer violated this Act or
4 any other law, discriminate against an employee, or take any
5 other adverse action that penalizes an employee for, or is
6 reasonably likely to deter an employee from, exercising or
7 attempting to exercise any right protected under this Act or
8 any other law, including informing other employees or persons
9 of their rights under this Act or any other law, assisting in
10 any way with any complaint or investigation involving this
11 Act, including another workers' case, or sharing information
12 about workplace issues with other employees or the public,
13 including on social media. Threats or any other adverse action
14 related to perceived immigration status or work authorization
15 shall constitute threats or adverse actions as those terms are
16 used in this Section. An employee need not explicitly refer to
17 this Act or any other law or the rights enumerated herein to be
18 protected from retaliation. The protections afforded by this
19 Section shall apply to any person who mistakenly but in good
20 faith alleges violations of this Act.

21 Section 35. Protection of former employees from
22 blacklisting. An employer shall not prevent or attempt to
23 prevent, by word or writing of any kind, a former employee from
24 obtaining employment with any other employer. An employer is
25 not prohibited from providing by word or writing any other

1 employer to whom the discharged employee has applied for
2 employment a truthful statement of the reason for discharge.

3 Section 40. Notice and posting of rights.

4 (a) The Department shall publish and make available
5 notices informing employees of their rights protected under
6 this Act. Employers shall post the notices in a conspicuous
7 location in the workplace or at any job site, and shall give a
8 notice to each employee at the time of hiring and on an annual
9 basis. The notices shall be made available in a downloadable
10 format on the Department's website in English, Spanish,
11 Polish, Mandarin, and Cantonese.

12 (b) In accordance with the rules of the Department, an
13 employer shall conspicuously post at any workplace or job site
14 where any employee works the notices described in subsection
15 (a) that apply to the particular workplace or job site. The
16 notices shall be in English and any language spoken as a
17 primary language by at least 5% of employees at that location
18 if the Department has made the notice available in that
19 language.

20 Section 45. Recordkeeping.

21 (a) Employers shall retain records documenting their
22 compliance with the applicable requirements of this Act for a
23 period of 3 years and shall allow the Department access to such
24 records and other information, in accordance with applicable

1 law and with appropriate notice, in furtherance of an
2 investigation conducted pursuant to this Act. Employers shall
3 report annually to the Department, and any person who requests
4 a copy of:

5 (1) the employer's total employment each year broken
6 down by full-time employment (defined as at least 30 hours
7 per week), part-time employment (defined as less than 30
8 hours per week), short-term employment, and employment
9 through a temp or staffing agency; and

10 (2) the employer's total number of separations each
11 year broken down by whether the separation was a discharge
12 for cause, a discharge for bona fide economic reasons, a
13 separation as a result of the end of a short-term
14 position, an employee resignation, or an employee
15 retirement.

16 (b) An employer's failure to maintain, retain, or produce
17 a record or other information required to be maintained by
18 this Section relevant to a material fact alleged by an
19 employee in a complaint brought pursuant to this Section or
20 requested by the Department pursuant to an investigation
21 creates a rebuttable presumption that such fact is true.

22 Section 50. Administrative implementation and enforcement.

23 (a) The Department shall administer and enforce the
24 provisions of this Act and shall, within 120 days after its
25 effective date, adopt rules necessary to administer and

1 enforce this Act. The rules shall include the procedures for
2 investigations and hearings under this Act. The adoption,
3 amendment, or rescission of rules shall be in conformity with
4 the requirements of the Illinois Administrative Procedure Act.

5 (b) An aggrieved employee or his or her duly authorized
6 representative may file a complaint with the Department
7 regarding violations by an employer of this Act or of any
8 implementing rules. Upon receiving a complaint or on its own
9 initiative, the Department shall investigate potential
10 violations, make a determination whether a violation has
11 occurred, and take appropriate action to enforce the
12 provisions of this Act and any implementing rules.

13 (c) If an employer is found by the Department to have
14 violated this Act or any rules adopted under this Act, the
15 Department shall order the following, in addition to any other
16 remedy provided by law:

17 (1) In the case of unlawful discharge, retaliation,
18 blacklisting, or unlawful electronic monitoring, actual
19 and liquidated damages payable to each aggrieved worker
20 equal to the greater of \$10,000 or 3 times the actual
21 damages including, but not limited to, unpaid wages,
22 benefits, and other remuneration from the date of
23 discharge, unless an adjudicator finds that mitigating
24 circumstances are present, in which case the adjudicator
25 may order that the preceding liquidated damages amount be
26 reduced as circumstances make appropriate, as well as

1 reinstatement, restoration of hours, other injunctive
2 relief (including to rectify conditions that led to
3 constructive discharge), punitive damages, and such other
4 remedies as may be appropriate.

5 (2) In the case of discharge where severance pay was
6 not provided, severance pay together with an additional 2
7 times that amount as liquidated damages, and such other
8 remedies as may be appropriate including punitive damages.

9 (3) In the case of failure to provide a timely written
10 explanation for a discharge, injunctive relief and
11 liquidated damages in an amount equal to \$5,000, unless an
12 adjudicator finds that mitigating circumstances are
13 present, in which case the adjudicator may order that the
14 preceding liquidated damage amount be reduced as
15 circumstances make appropriate, and such other remedies as
16 may be appropriate, including punitive damages.

17 (4) Payment of a further sum as a civil penalty in an
18 amount of \$10,000 for unlawful discharge, retaliation,
19 blacklisting, or unlawful electronic monitoring; in an
20 amount of \$5,000 for or failure to provide a timely
21 written explanation for a discharge, or in an amount of
22 \$1,000 for other violations of this Act, including the
23 Act's recordkeeping requirements or failure to produce
24 records requested in an investigation. However, if an
25 adjudicator finds that mitigating circumstances are
26 present, the adjudicator may order that the preceding

1 civil penalty amounts be reduced as circumstances make
2 appropriate. The civil penalties imposed pursuant to this
3 section shall be imposed on a per employee and per
4 instance basis for each violation.

5 (5) Reasonable attorney's fees, expert fees, and other
6 costs. For the purposes of this provision, a complainant
7 shall be deemed to have prevailed and entitled to an award
8 of fees and costs if commencement of a complaint has acted
9 as a catalyst to effect policy change on the part of the
10 respondent, regardless of whether that change has been
11 implemented voluntarily, as a result of a settlement, or
12 as a result of a judgment in such party's favor.

13 (6) In assessing an appropriate remedy, due
14 consideration shall be given to the gravity of the
15 violation, the history of previous violations, and the
16 good faith of the employer.

17 (7) All amounts specified in this Act shall be
18 adjusted annually to keep pace with the rising cost of
19 living as measured by the annual increase in the Consumer
20 Price Index for All Urban Consumers (CPI-U), as calculated
21 by the Bureau of Labor Statistics of the United States
22 Department of Labor.

23 (8) Either party may bring an administrative appeal to
24 enforce, vacate, or modify the order, determination, or
25 other disposition of the Department.

26 (9) No procedure or remedy set forth in this Section

1 is exclusive or a prerequisite for asserting a claim for
2 relief to enforce any rights under this Act in a court of
3 law.

4 (10) An employer who has been ordered by the
5 Department or ordered by a court to pay back pay unpaid
6 back pay, front pay and benefits, liquidated or punitive
7 damages, or civil penalties, and who fails to seek timely
8 review of such a demand or order as provided for under this
9 Act and who fails to comply within 15 calendar days after
10 such demand or within 35 days of an administrative or
11 court order is entered shall also be liable to pay a
12 penalty to the Department of 20% of the amount found owing
13 and a penalty to the employee of 1% per calendar day of the
14 amount found owing for each day of delay in paying such
15 wages to the employee. All moneys recovered as fees and
16 civil penalties under this Act, except those owing to the
17 affected employee, shall be deposited into the Wrongful
18 Discharge Enforcement Fund, a special fund which is hereby
19 created in the State treasury. Moneys in the Fund may be
20 used only for enforcement of this Act.

21 Section 55. Civil action. Except as otherwise provided by
22 law, any person claiming to be aggrieved by an employer's
23 violation of this Act has a cause of action in any court and,
24 upon prevailing, shall be awarded the relief specified in
25 Section 50 and, if the court finds in favor of the plaintiff,

1 it shall award such prevailing party, in addition to other
2 relief, his or her reasonable attorney's fees, expert fees,
3 and other costs. As used in this Section, "prevailing" party
4 includes a party whose commencement of litigation has acted as
5 a catalyst to effect policy change on the part of the
6 defendant, regardless of whether that change has been
7 implemented voluntarily, as a result of a settlement, or as a
8 result of a judgment in such party's favor. Penalties and fees
9 under this Act may be assessed by the Department and recovered
10 in a civil action brought by the Department in any circuit
11 court or in any administrative adjudicative proceeding under
12 this Act. In any such civil action or administrative
13 adjudicative proceeding under this Act, the Department shall
14 be represented by the Attorney General.

15 Section 60. Public enforcement action. A relator or
16 representative organization may initiate a public enforcement
17 action in any court to pursue civil penalties, injunctive
18 relief, and declaratory relief, as specified in Section 50, on
19 behalf of the Department, for a violation of the provisions of
20 this Act affecting the relator and other current or former
21 employees, according to the following procedures:

22 (a) The relator or representative organization shall
23 give written notice to the Department of the specific
24 provisions of this Act alleged to have been violated,
25 including the facts and theories to support the alleged

1 violation. The notice shall be given in such a manner as
2 the Department may prescribe by rule.

3 (b) If the Department intends to investigate the
4 alleged violation, it shall notify the relator or
5 representative organization of its decision within 65
6 calendar days of the postmark date of the notice. Within
7 60 calendar days of that decision, the Department may
8 investigate the alleged violation and take any enforcement
9 action authorized by law. If the Department determines
10 that additional time is necessary to complete the
11 investigation, it may extend the time by not more than 60
12 additional calendar days and shall notify the relator or
13 representative organization of the extension.

14 (c) Notwithstanding any other provision of law, a
15 public enforcement action brought under this Act must be
16 commenced within the limitations period specified in
17 Section 65. The statute of limitations for bringing a
18 public enforcement action under this Act shall be tolled
19 from the date a relator or representative organization
20 files a notice under Section 55 with the Department, or
21 the Department commences an investigation, whichever is
22 earlier.

23 (d) The relator or representative organization may
24 commence a civil action under this Act if the Department
25 determines that no enforcement action will be taken, or if
26 no enforcement action is taken by the Department within

1 the time limits prescribed.

2 (e) The Department may intervene in an action brought
3 under this Act and proceed with any and all claims in the
4 action as of right within 30 days after the filing of the
5 action, or for good cause, as determined by the court, at
6 any time after the 30-day period after the filing of the
7 action.

8 (f) Civil penalties recovered in a public enforcement
9 action brought under this Act shall be distributed as
10 follows:

11 (1) If the Department does not intervene in the
12 action, 60% to the Department, and 40% to the relator
13 or representative organization, to be distributed to
14 the employees affected by the violation, including a
15 service award that reflects the burdens and risks
16 assumed by the employee or representative organization
17 in prosecuting the action.

18 (2) If the Department does intervene in the
19 action, 70% to the Department, and 30% to the relator
20 or representative organization, to be distributed to
21 the employees affected by the violation, including a
22 service award that reflects the burdens and risks
23 assumed by the employee or representative organization
24 in prosecuting the action.

25 (3) The share of penalties recovered for the
26 Department under this Act shall be used solely to

1 support the Department's education and enforcement
2 activities, with approximately 25% of these penalties
3 reserved for grants to community organizations for
4 outreach and education about employee rights under
5 this Act.

6 (g) In any public enforcement action commenced under
7 this Act, the court shall allow a prevailing relator or
8 representative organization to recover all reasonable
9 attorneys' fees, expert fees, and other costs. As used in
10 this provision, a "prevailing" relator or representative
11 organization includes a relator or representative
12 organization whose commencement of litigation has acted as
13 a catalyst to effect policy change on the part of the
14 defendant, regardless of whether that change has been
15 implemented voluntarily, as a result of a settlement, or
16 as a result of a judgment in such relator or
17 representative organization's favor.

18 (h) No public enforcement action brought under this
19 Act shall be required to meet class action certification
20 requirements under Part 8 of Article II of the Code of
21 Civil Procedure or Rule 23(a) of the Federal Rules of
22 Civil Procedure.

23 (i) The relator or representative organization may not
24 recover compensatory damages or back pay, or seek
25 reinstatement, in a public enforcement action. But the
26 filing of a public enforcement action does not preclude an

1 employee from pursuing these remedies in another forum.

2 (j) The right to bring a public enforcement action
3 under this Act shall not be impaired by any private
4 contract.

5 Section 65. Limitation of actions. Notwithstanding any
6 other provision of law, an action under this Act must be filed
7 within 3 years after the complainant knew or should have known
8 of the alleged violation. This limitation period shall be
9 tolled for the duration of any state of emergency declared by
10 the State or by any city or county in which the action is
11 commenced.

12 Section 70. Exemptions and non-preemption. This Act does
13 not:

14 (1) Apply to any employee who is covered by a valid
15 collective bargaining agreement if such agreement
16 expressly waives the provisions of this Act and provides
17 comparable or superior protections for employees.

18 (2) Preempt, limit, or otherwise affect the
19 applicability of any provisions of any other law, rule,
20 requirement, policy, or standard, other than a collective
21 bargaining agreement, that provides comparable or superior
22 protections for employees to those provided in this Act.

23 Section 75. Violations. An employer that violates this Act

1 is guilty of a Class A misdemeanor.

2 Section 80. Applicability. This Act applies to
3 disciplinary and discharge actions one year after the
4 effective date of this Act.

5 Section 95. Severability. The provisions of this Act are
6 severable under Section 1.31 of the Statute on Statutes.

7 Section 97. The State Finance Act is amended by adding
8 Section 5.935 as follows:

9 (30 ILCS 105/5.935 new)

10 Sec. 5.935. The Wrongful Discharge Enforcement Fund.

11 Section 99. Effective date. This Act takes effect January
12 1, 2022.