



Rep. La Shawn K. Ford

Adopted in House on Mar 09, 2012

09700HB3782ham001

LRB097 12051 JLS 65884 a

1 AMENDMENT TO HOUSE BILL 3782

2 AMENDMENT NO. _____. Amend House Bill 3782 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Right to Privacy in the Workplace Act is
5 amended by changing Section 10 as follows:

6 (820 ILCS 55/10) (from Ch. 48, par. 2860)

7 Sec. 10. Prohibited inquiries.

8 (a) It shall be unlawful for any employer to inquire, in a
9 written application or in any other manner, of any prospective
10 employee or of the prospective employee's previous employers,
11 whether that prospective employee has ever filed a claim for
12 benefits under the Workers' Compensation Act or Workers'
13 Occupational Diseases Act or received benefits under these
14 Acts.

15 (b) It shall be unlawful for any employer to ask any
16 employee or prospective employee to provide any password or

1 other related account information in order to gain access to
2 the employee's or prospective employee's account or profile on
3 a social networking website.

4 "Social networking site" means an internet-based service
5 that allows individuals to: (1) construct a public or
6 semi-public profile within a bounded system created by the
7 service; (2) create a list of other users with whom they share
8 a connection within the system; and (3) view and navigate their
9 list of connections and those made by others within the system.
10 A social networking site shall not include electronic mail.

11 This subsection shall not apply to any employer who obtains
12 information about a prospective employee or an employee that is
13 in the public domain or obtained in compliance with this
14 amendatory act of the 97th General Assembly.

15 This subsection shall not limit an employer's right to
16 promulgate and maintain lawful workplace policies governing
17 the use of the employer's electronic equipment, including
18 policies regarding internet use, social networking site use,
19 and electronic mail use.

20 (Source: P.A. 87-807.)".