

SB3097



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3097

Introduced 2/19/2016, by Sen. Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

New Act

Creates the Employee Sick Leave Act. Provides that employees may use personal sick leave benefits provided by the employer for absences due to an illness, injury, or medical appointment of the employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent, for reasonable periods of time as the employee's attendance may be necessary, on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury. Provides that the Department of Labor shall issue rules to implement the Act. Effective January 1, 2017.

LRB099 20766 JLS 45431 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Employee Sick Leave Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Labor.

8 "Personal sick leave benefits" means time accrued and
9 available to an employee to be used as a result of absence from
10 work due to personal illness, injury, or medical appointment,
11 but does not include absences from work for which compensation
12 is provided through an employer's plan including, but not
13 limited to, a short or long-term disability plan.

14 Section 10. Use of leave; limitations.

15 (a) An employee may use personal sick leave benefits
16 provided by the employer for absences due to an illness,
17 injury, or medical appointment of the employee's child, spouse,
18 sibling, parent, mother-in-law, father-in-law, grandchild,
19 grandparent, or stepparent, for reasonable periods of time as
20 the employee's attendance may be necessary, on the same terms
21 upon which the employee is able to use sick leave benefits for
22 the employee's own illness or injury.

1 (b) An employer may limit the use of personal sick leave
2 benefits provided by the employer for absences due to an
3 illness, injury, or medical appointment of the employee's
4 child, spouse, domestic partner, sibling, parent,
5 mother-in-law, father-in-law, grandchild, grandparent, or
6 stepparent to an amount not less than the personal sick leave
7 that would be accrued during 6 months at the employee's then
8 current rate of entitlement.

9 Section 15. Rights and remedies cumulative. The rights and
10 remedies specified in this Act are cumulative and nonexclusive
11 and are in addition to any other rights or remedies afforded by
12 contract or under other provisions of law. This Act does not
13 prevent an employer from providing greater sick leave benefits
14 than are provided for under this Act. This Act does not extend
15 the maximum period of leave to which an employee is entitled
16 under the federal Family and Medical Leave Act of 1993,
17 regardless of whether the employee receives sick leave
18 compensation during that leave.

19 Section 20. Retaliation prohibited. An employer shall not
20 deny an employee the right to use personal sick leave benefits
21 in accordance with this Act or discharge, threaten to
22 discharge, demote, suspend, or in any manner discriminate
23 against an employee for using personal sick leave benefits,
24 attempting to exercise the right to use personal sick leave

1 benefits, filing a complaint with the Illinois Department of
2 Labor or alleging a violation of this Act, cooperating in an
3 investigation or prosecution of an alleged violation of this
4 Act, or opposing any policy or practice or act that is
5 prohibited by this Act.

6 Section 25. Rules. The Department shall adopt rules to
7 implement this Act, including, but not limited to, rules to
8 further define employee recourse in cases of violation of this
9 Act.

10 Section 99. Effective date. This Act takes effect January
11 1, 2017.