

# SB3391



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3391

Introduced 2/16/2018, by Sen. Cristina Castro

### SYNOPSIS AS INTRODUCED:

820 ILCS 112/15

Amends the Equal Pay Act of 2003. Makes a technical change in a Section concerning enforcement.

LRB100 20834 KTG 36328 b

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 5. The Equal Pay Act of 2003 is amended by changing  
5 Section 15 as follows:

6 (820 ILCS 112/15)

7 Sec. 15. Enforcement.

8 (a) The ~~The~~ Director or his or her authorized  
9 representative shall administer and enforce the provisions of  
10 this Act. The Director of Labor shall adopt rules necessary to  
11 administer and enforce this Act.

12 (b) An employee or former employee may file a complaint  
13 with the Department alleging a violation of this Act by  
14 submitting a signed, completed complaint form. All complaints  
15 shall be filed with the Department within one year from the  
16 date of the underpayment.

17 (c) The Department has the power to conduct investigations  
18 in connection with the administration and enforcement of this  
19 Act and the authorized officers and employees of the Department  
20 are authorized to investigate and gather data regarding the  
21 wages, hours, and other conditions and practices of employment  
22 in any industry subject to this Act, and may enter and inspect  
23 such places and such records at reasonable times during regular

1 business hours, question the employees and investigate the  
2 facts, conditions, practices, or matters as he or she may deem  
3 necessary or appropriate to determine whether any person has  
4 violated any provision of this Act, or which may aid in the  
5 enforcement of this Act.

6 (d) The Department may refer a complaint alleging a  
7 violation of this Act to the Department of Human Rights for  
8 investigation if the subject matter of the complaint also  
9 alleges a violation of the Illinois Human Rights Act and the  
10 Department of Human Rights has jurisdiction over the matter.  
11 When a complaint is referred to the Department of Human Rights  
12 under this subsection, the Department of Human Rights shall  
13 also file the complaint under the Illinois Human Rights Act and  
14 be the agency responsible for investigating the complaint. The  
15 Department shall review the Department of Human Rights'  
16 investigation and findings to determine whether a violation of  
17 this Act has occurred or whether further investigation by the  
18 Department is necessary and take any necessary or appropriate  
19 action required to enforce the provisions of this Act. The  
20 Director of Labor and the Department of Human Rights shall  
21 adopt joint rules necessary to administer and enforce this  
22 subsection.

23 (Source: P.A. 98-1051, eff. 1-1-15.)