

# HB3708



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB3708**

by Rep. Terra Costa Howard

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Family and Medical Leave Act. Provides that employees are entitled to 12 weeks of leave during a calendar year. Provides that leave may be used for absence from work due to (1) personal illness, injury, or medical appointment of the employee, (2) illness, injury, or medical appointment of a member of the employee's family, or (3) for the birth of a child or the adoption of a child under one year of age. Requires the employer to pay the cost of health insurance applicable to the employee during the period of leave. Requires that the employee be returned to his or her position or an equivalent position upon completion of the family medical leave period.

LRB101 08467 JLS 53543 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 1. Short title. This Act may be cited as the Family  
5 and Medical Leave Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Labor.

8 "Family and medical leave benefits" means any paid or  
9 unpaid time available to an employee as provided through an  
10 employment benefit plan or paid time off policy to be used as a  
11 result of absence from work due to (1) personal illness,  
12 injury, or medical appointment of the employee, (2) illness,  
13 injury, or medical appointment of a member of the employee's  
14 family, or (3) for the birth of a child or the adoption of a  
15 child under one year of age.

16 Section 10. Use of leave; limitations.

17 (a) An employee may use family and medical leave benefits  
18 provided by the employer for absences due to an illness,  
19 injury, or medical appointment of the employee's child,  
20 stepchild, spouse, domestic partner, sibling, parent,  
21 mother-in-law, father-in-law, grandchild, grandparent, or  
22 stepparent, on the same terms upon which the employee is able

1 to use medical and family leave benefits for the employee's own  
2 illness or injury. An employee may use family and medical leave  
3 benefits provided by an employer for the birth of a child or  
4 the adoption of a child under one year of age.

5 (b) An employee is entitled to 12 weeks of family and  
6 medical leave during each calendar year. An employee may take  
7 family and medical leave intermittently.

8 (c) An employee may elect to use family medical leave or to  
9 use other leave available to the employee. An employer may not  
10 require an employee to use family and medical leave before  
11 using, instead of using, or simultaneously using other leave  
12 available to the employee.

13 Section 15. Insurance benefits; return to work.

14 (a) An employer shall pay the cost of any health insurance  
15 program applicable to the employee during the employee's  
16 absence for family and medical leave.

17 (b) Upon the return to work from family medical leave, the  
18 employee shall be reinstated to his or her previous position of  
19 employment or to an equivalent position of employment.

20 Section 20. Rules. The Department may adopt rules to  
21 implement this Act.