



Sen. Cristina Castro

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10100SB1466sam001

LRB101 08420 JLS 57518 a

1 AMENDMENT TO SENATE BILL 1466

2 AMENDMENT NO. _____. Amend Senate Bill 1466 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Equal Pay Act of 2003 is amended by
5 changing Section 10 as follows:

6 (820 ILCS 112/10)

7 Sec. 10. Prohibited acts.

8 (a) No employer may discriminate between employees on the
9 basis of sex by paying wages to an employee at a rate less than
10 the rate at which the employer pays wages to another employee
11 of the opposite sex for the same or substantially similar work
12 on jobs the performance of which requires equal skill, effort,
13 and responsibility, and which are performed under similar
14 working conditions, except where the payment is made under:

15 (1) a seniority system;

16 (2) a merit system;

1 (3) a system that measures earnings by quantity or
2 quality of production; or

3 (4) a differential based on any other factor other
4 than: (i) sex or (ii) a factor that would constitute
5 unlawful discrimination under the Illinois Human Rights
6 Act.

7 No employer may discriminate between employees on the basis
8 of race, color, religion, sex, national origin, ancestry, age,
9 marital status, physical or mental disability, military
10 status, sexual orientation, or pregnancy by paying wages to an
11 ~~African-American~~ employee at a rate less than the rate at which
12 the employer pays wages to another employee who is not a member
13 of a protected class that is based upon race, color, religion,
14 sex, national origin, ancestry, age, marital status, physical
15 or mental disability, military status, sexual orientation, or
16 pregnancy ~~African-American~~ for the same or substantially
17 similar work on jobs the performance of which requires equal
18 skill, effort, and responsibility, and which are performed
19 under similar working conditions, except where the payment is
20 made under:

21 (1) a seniority system;

22 (2) a merit system;

23 (3) a system that measures earnings by quantity or
24 quality of production; or

25 (4) a differential based on any other factor other
26 than: (i) race, color, religion, sex, national origin,

1 ancestry, age, marital status, physical or mental
2 disability, military status, sexual orientation, or
3 pregnancy or (ii) a factor that would constitute unlawful
4 discrimination under the Illinois Human Rights Act.

5 An employer who is paying wages in violation of this Act
6 may not, to comply with this Act, reduce the wages of any other
7 employee.

8 Nothing in this Act may be construed to require an employer
9 to pay, to any employee at a workplace in a particular county,
10 wages that are equal to the wages paid by that employer at a
11 workplace in another county to employees in jobs the
12 performance of which requires equal skill, effort, and
13 responsibility, and which are performed under similar working
14 conditions.

15 (b) It is unlawful for any employer to interfere with,
16 restrain, or deny the exercise of or the attempt to exercise
17 any right provided under this Act. It is unlawful for any
18 employer to discharge or in any other manner discriminate
19 against any individual for inquiring about, disclosing,
20 comparing, or otherwise discussing the employee's wages or the
21 wages of any other employee, or aiding or encouraging any
22 person to exercise his or her rights under this Act.

23 (c) It is unlawful for any person to discharge or in any
24 other manner discriminate against any individual because the
25 individual:

26 (1) has filed any charge or has instituted or caused to

1 be instituted any proceeding under or related to this Act;

2 (2) has given, or is about to give, any information in
3 connection with any inquiry or proceeding relating to any
4 right provided under this Act; or

5 (3) has testified, or is about to testify, in any
6 inquiry or proceeding relating to any right provided under
7 this Act.

8 (Source: P.A. 100-1140, eff. 1-1-19.)".