

HB2063



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2063

by Rep. Jennifer Gong-Gershowitz

SYNOPSIS AS INTRODUCED:

775 ILCS 5/2-108 new

Amends the Illinois Human Rights Act. Provides that an employer with 50 or more employees shall maintain records of employee complaints alleging sexual harassment and retain such records for a period of not less than 10 years after the date on which the complaint was received by the employer. Provides that intentional destruction or failure to maintain such records may be considered interference and a civil rights violation.

LRB101 05890 LNS 50911 b

A BILL FOR

1 AN ACT concerning human rights.

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

4 Section 5. The Illinois Human Rights Act is amended by
5 adding Section 2-108 as follows:

6 (775 ILCS 5/2-108 new)

7 Sec. 2-108. Retention of records by employers with 50 or
8 more employees.

9 (a) As used in this Section, "employee complaint" means a
10 complaint filed through the internal complaint process of the
11 employer on or after the effective date of this amendatory Act
12 of the 101st General Assembly.

13 (b) An employer, as defined by Section 2-101, with 50 or
14 more employees shall maintain records of employee complaints
15 alleging sexual harassment. Those records shall be retained for
16 a period of not less than 10 years after the date on which the
17 complaint was received by the employer.

18 (c) The Department may seek an order requiring an
19 applicable employer to comply with this Section. Intentional
20 destruction of such records or failure to maintain records in
21 the manner specified may be considered interference, as defined
22 by Section 6-101, and a civil rights violation.

23 (d) Nothing in this Section shall be construed to affect

1 the privacy or confidentiality of an employer's internal
2 complaint process.