



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5015

Introduced 2/18/2020, by Rep. Anne Stava-Murray

SYNOPSIS AS INTRODUCED:

820 ILCS 147/35

Amends the School Visitation Rights Act. Provides that an employer that terminates an employee for absences to attend school conferences is liable in a civil action for damages resulting to the employee. Imposes upon the employer the burden of proof to demonstrate that termination is not related to an employee's absence for attendance as a school conference, behavioral meeting, or academic meeting. Effective August 1, 2020.

LRB101 19446 JLS 68918 b

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 School Visitation Rights Act is amended by
5 changing Section 35 as follows:

6 (820 ILCS 147/35)

7 (Text of Section before amendment by P.A. 101-486)

8 Sec. 35. Employee rights. No employee shall lose any
9 employee benefits, except as provided for in Section 20 of this
10 Act, for exercising his or her rights under this Act. Nothing
11 in this Act shall be construed to affect an employer's
12 obligation to comply with any collective bargaining agreement
13 or employee benefit plan. Nothing in this Act shall prevent an
14 employer from providing school visitation rights in excess of
15 the requirements of this Act. The rights afforded by this Act
16 shall not be diminished by any collective bargaining act or by
17 any employee benefit plan.

18 (Source: P.A. 87-1240.)

19 (Text of Section after amendment by P.A. 101-486)

20 Sec. 35. Employee rights.

21 (a) No employee shall lose any employee benefits, except as
22 provided for in Section 20 of this Act, for exercising his or

1 her rights under this Act. Nothing in this Act shall be
2 construed to affect an employer's obligation to comply with any
3 collective bargaining agreement or employee benefit plan.
4 Nothing in this Act shall prevent an employer from providing
5 school visitation rights in excess of the requirements of this
6 Act. The rights afforded by this Act shall not be diminished by
7 any collective bargaining act or by any employee benefit plan.

8 (b) An employer may not terminate an employee for an
9 absence from work if the absence is due solely to the
10 employee's attendance at a school conference, behavioral
11 meeting, or academic meeting, as provided in Section 15.

12 (c) An employer violating subsection (b) is liable in a
13 civil action for damages resulting to the employee. The
14 employer has the burden of proof to demonstrate that
15 termination is not related to an employee's absence for
16 attendance as a school conference, behavioral meeting, or
17 academic meeting.

18 (Source: P.A. 101-486, eff. 8-1-20.)

19 Section 95. No acceleration or delay. Where this Act makes
20 changes in a statute that is represented in this Act by text
21 that is not yet or no longer in effect (for example, a Section
22 represented by multiple versions), the use of that text does
23 not accelerate or delay the taking effect of (i) the changes
24 made by this Act or (ii) provisions derived from any other
25 Public Act.

1 Section 99. Effective date. This Act takes effect August 1,
2 2020.