



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5259

by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Family First Employer Program Act. Establishes the Family First Employer Program under the Department of Labor to award employers that create family-friendly workplaces by providing, for all full-time employees, advancement and leadership opportunities; the same pay rates for similar work; stipends or assistance for child care; paid leave for the birth or adoption of a child and medical care for employees or family members of employees; flexible work accommodations for other family obligations; and health insurance and retirement plan options. Provides for the awards to be presented by the Governor and to come with a logo that a designated employer may use for promotional purposes. Provides that the Department shall adopt rules to implement the program.

LRB101 17820 JLS 67251 b

FISCAL NOTE ACT  
MAY APPLY

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 First Employer Program Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Labor.

8 "Designation" means designation as an Illinois Family  
9 First Employer.

10 "Employer" means a person engaged in business in the State  
11 that employs full time one or more persons. "Employer" includes  
12 the State and any political subdivision with one or more  
13 employees.

14 "Program" means the Family First Employer Program  
15 established in this Act.

16 Section 10. Program established. The Family First Employer  
17 Program is established within the Department to award a  
18 designation to an employer who meets the criteria under Section  
19 15.

20 Section 15. Program criteria. In order to be eligible for  
21 the program, an employer, with respect to all full-time

1 employees, must meet at least 4 of the following criteria:

2 (1) Demonstrate that all employees, including women,  
3 persons of color, and persons with disabilities, have equal  
4 opportunity to advance to leadership positions.

5 (2) Provide employees with access to or the opportunity  
6 to take time off for mentorship training or leadership  
7 opportunities to assist in advancing to leadership  
8 positions.

9 (3) Demonstrate that the employer does not pay  
10 different wage rates to employees for substantially  
11 similar work when the work is viewed as a composite of  
12 skill, effort, and responsibility and is performed under  
13 the same working conditions, except when the wage rate  
14 difference is based upon one or more of the following:

15 (A) a seniority system;

16 (B) a merit system;

17 (C) a system that measures earnings by quantity or  
18 quality of production; or

19 (D) a bona fide reason such as education, training  
20 or experience.

21 (4) Make a child care stipend, facility, or service  
22 available to employees or qualify for the federal  
23 employer-provided child care tax credit under 26 United  
24 States Code, Section 45F.

25 (5) Provide employees at least 2 weeks' paid leave, in  
26 addition to other sick or vacation time that employees may

1           accrue, for the birth or adoption of a child, medical care  
2           of the employees, and, if possible, medical care of family  
3           members of employees.

4           (6) Provide employees with flexible work arrangements  
5           to accommodate important family obligations.

6           (7) Provide health insurance options for or contribute  
7           to the health insurance costs of employees and dependents  
8           of employees.

9           (8) Contribute to each employee's retirement benefit  
10          plan at a level equal to or greater than the minimum  
11          contribution required for an employee to participate in the  
12          retirement plan.

13          Section 20. Program procedures. The Department shall  
14          establish procedures by rule for the program by which an  
15          employer may apply for and be awarded a designation for a  
16          3-year period. The application for the designation must include  
17          the following:

18                 (1) the employer's name and address and a description  
19                 of the type of business or industry or the department of  
20                 the employer;

21                 (2) evidence that the employer meets at least 4 of the  
22                 criteria under Section 15; and

23                 (3) the signature of the owner, manager, chief  
24                 executive officer, supervisor, or department head of the  
25                 employer, or the owner's, manager's, chief executive

1 officer's, supervisor's, or department head's designee,  
2 attesting that the information provided in the application  
3 is correct. The Department may revoke a designation if an  
4 employer knowingly provides false information on the  
5 application.

6 Section 25. Determination of designation. The Department  
7 shall review all applications to determine eligibility for a  
8 designation. If an employer meets all of the criteria in  
9 Section 15, the employer is entitled to a platinum designation.  
10 If an employer meets at least 4, but not all, of the criteria  
11 in Section 15, the employer is entitled to a gold designation.

12 Section 30. Award of the designation; logo. The Governor  
13 shall award in writing or electronically the designation to an  
14 employer that the Department has determined is entitled to a  
15 designation under Section 25. The Department shall create a  
16 logo to be included in the awarding of the designation that an  
17 employer that is awarded a designation may use for promotional  
18 purposes. A person who has not received a designation under  
19 this Act may not use the logo for any purpose.

20 Section 35. List of designated employers. The Department  
21 shall publish a list of all designated employers under Section  
22 25 on the Department's publicly accessible website. The  
23 Department shall update the list at least 3 times per year.

1           Section 40. Rules. The Department may adopt rules in  
2 accordance with the Illinois Administrative Procedure Act to  
3 carry out the purposes of this Act.