

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 Victims' Economic Security and Safety Act  
5 is amended by changing Sections 10, 20, 25, 30, and 45 as  
6 follows:

7 (820 ILCS 180/10)

8 Sec. 10. Definitions. In this Act, except as otherwise  
9 expressly provided:

10 (1) "Commerce" includes trade, traffic, commerce,  
11 transportation, or communication; and "industry or  
12 activity affecting commerce" means any activity, business,  
13 or industry in commerce or in which a labor dispute would  
14 hinder or obstruct commerce or the free flow of commerce,  
15 and includes "commerce" and any "industry affecting  
16 commerce".

17 (2) "Course of conduct" means a course of repeatedly  
18 maintaining a visual or physical proximity to a person or  
19 conveying oral or written threats, including threats  
20 conveyed through electronic communications, or threats  
21 implied by conduct.

22 (2.5) "Crime of violence" means any conduct proscribed  
23 by Articles 9, 11, 12, 26.5, 29D, and 33A of the Criminal

1       Code of 2012 or a similar provision of the Criminal Code of  
2       1961, in addition to conduct proscribed by Articles of the  
3       Criminal Code of 2012 referenced in other definitions in  
4       this Section.

5           (3) "Department" means the Department of Labor.

6           (4) "Director" means the Director of Labor.

7           (5) "Domestic violence, sexual violence, or gender  
8       violence" means domestic violence, sexual assault, gender  
9       violence, or stalking.

10          (6) "Domestic violence" means abuse, as defined in  
11       Section 103 of the Illinois Domestic Violence Act of 1986,  
12       by a family or household member, as defined in Section 103  
13       of the Illinois Domestic Violence Act of 1986.

14          (7)       "Electronic       communications"       includes  
15       communications via telephone, mobile phone, computer,  
16       e-mail, video recorder, fax machine, telex, pager, online  
17       platform (including, but not limited to, any public-facing  
18       website, web application, digital application, or social  
19       network), or any other electronic communication, as  
20       defined in Section 12-7.5 of the Criminal Code of 2012.

21          (8) "Employ" includes to suffer or permit to work.

22          (9) Employee.

23           (A) In general. "Employee" means any person  
24       employed by an employer.

25           (B) Basis. "Employee" includes a person employed  
26       as described in subparagraph (A) on a full or

1 part-time basis, or as a participant in a work  
2 assignment as a condition of receipt of federal or  
3 State income-based public assistance.

4 (10) "Employer" means any of the following: (A) the  
5 State or any agency of the State; (B) any unit of local  
6 government or school district; or (C) any person that  
7 employs at least one employee.

8 (11) "Employment benefits" means all benefits provided  
9 or made available to employees by an employer, including  
10 group life insurance, health insurance, disability  
11 insurance, sick leave, annual leave, educational benefits,  
12 pensions, and profit-sharing, regardless of whether such  
13 benefits are provided by a practice or written policy of  
14 an employer or through an "employee benefit plan".  
15 "Employee benefit plan" or "plan" means an employee  
16 welfare benefit plan or an employee pension benefit plan  
17 or a plan which is both an employee welfare benefit plan  
18 and an employee pension benefit plan.

19 (12) "Family or household member", for employees with  
20 a family or household member who is a victim of domestic  
21 violence, sexual violence, ~~or~~ gender violence, or any  
22 other crime of violence, means a spouse or party to a civil  
23 union, parent, grandparent, child, grandchild, sibling, or  
24 any son, daughter, other person related by blood or by  
25 present or prior marriage or civil union, other person who  
26 shares a relationship through a child, or any other

1 individual whose close association with the employee is  
2 the equivalent of a family relationship as determined by  
3 the employee son or daughter, and persons jointly residing  
4 in the same household.

5 (12.5) "Gender violence" means:

6 (A) one or more acts of violence or aggression  
7 satisfying the elements of any criminal offense under the  
8 laws of this State that are committed, at least in part, on  
9 the basis of a person's actual or perceived sex or gender,  
10 regardless of whether the acts resulted in criminal  
11 charges, prosecution, or conviction;

12 (B) a physical intrusion or physical invasion of a  
13 sexual nature under coercive conditions satisfying the  
14 elements of any criminal offense under the laws of this  
15 State, regardless of whether the intrusion or invasion  
16 resulted in criminal charges, prosecution, or conviction;  
17 or

18 (C) a threat of an act described in item (A) or (B)  
19 causing a realistic apprehension that the originator of  
20 the threat will commit the act.

21 (13) (Blank). ~~"Parent" means the biological parent of~~  
22 ~~an employee or an individual who stood in loco parentis to~~  
23 ~~an employee when the employee was a son or daughter. "Son~~  
24 ~~or daughter" means a biological, adopted, or foster child,~~  
25 ~~a stepchild, a legal ward, or a child of a person standing~~  
26 ~~in loco parentis, who is under 18 years of age, or is 18~~

1 ~~years of age or older and incapable of self-care because~~  
2 ~~of a mental or physical disability.~~

3 (14) "Perpetrator" means an individual who commits or  
4 is alleged to have committed any act or threat of domestic  
5 violence, sexual violence, ~~or~~ gender violence, or any  
6 other crime of violence.

7 (15) "Person" means an individual, partnership,  
8 association, corporation, business trust, legal  
9 representative, or any organized group of persons.

10 (16) "Public agency" means the Government of the State  
11 or political subdivision thereof; any agency of the State,  
12 or of a political subdivision of the State; or any  
13 governmental agency.

14 (17) "Public assistance" includes cash, food stamps,  
15 medical assistance, housing assistance, and other benefits  
16 provided on the basis of income by a public agency or  
17 public employer.

18 (18) "Reduced work schedule" means a work schedule  
19 that reduces the usual number of hours per workweek, or  
20 hours per workday, of an employee.

21 (19) "Repeatedly" means on 2 or more occasions.

22 (20) "Sexual assault" means any conduct proscribed by:  
23 (i) Article 11 of the Criminal Code of 2012 except  
24 Sections 11-35 and 11-45; (ii) Sections 12-13, 12-14,  
25 12-14.1, 12-15, and 12-16 of the Criminal Code of 2012; or  
26 (iii) a similar provision of the Criminal Code of 1961.

1           (20.5) "Sexual violence" means sexual assault.

2           (21) "Stalking" means any conduct proscribed by the  
3 Criminal Code of 1961 or the Criminal Code of 2012 in  
4 Sections 12-7.3, 12-7.4, and 12-7.5.

5           (22) "Victim" or "survivor" means an individual who  
6 has been subjected to domestic violence, sexual violence,  
7 ~~or~~ gender violence, or any other crime of violence.  
8 "Victim" also includes any person described as a victim,  
9 as defined under Section 2 of the Crime Victims  
10 Compensation Act.

11           (23) "Victim services organization" means a nonprofit,  
12 nongovernmental organization that provides assistance to  
13 victims of domestic violence, sexual violence, ~~or~~ gender  
14 violence, or any other crime of violence or to advocates  
15 for such victims, including a rape crisis center, an  
16 organization carrying out a domestic violence program, an  
17 organization operating a shelter or providing counseling  
18 services, or a legal services organization or other  
19 organization providing assistance through the legal  
20 process.

21 (Source: P.A. 101-221, eff. 1-1-20.)

22 (820 ILCS 180/20)

23 Sec. 20. Entitlement to leave due to domestic violence,  
24 sexual violence, ~~or~~ gender violence, or any other crime of  
25 violence.

1 (a) Leave requirement.

2 (1) Basis. An employee who is a victim of domestic  
3 violence, sexual violence, ~~or~~ gender violence, or any  
4 other crime of violence or an employee who has a family or  
5 household member who is a victim of domestic violence,  
6 sexual violence, ~~or~~ gender violence, or any other crime of  
7 violence whose interests are not adverse to the employee  
8 as it relates to the domestic violence, sexual violence,  
9 ~~or~~ gender violence, or any other crime of violence may  
10 take unpaid leave from work if the employee or employee's  
11 family or household member is experiencing an incident of  
12 domestic violence, sexual violence, ~~or~~ gender violence, or  
13 any other crime of violence or to address domestic  
14 violence, sexual violence, ~~or~~ gender violence, or any  
15 other crime of violence by:

16 (A) seeking medical attention for, or recovering  
17 from, physical or psychological injuries caused by  
18 domestic violence, sexual violence, ~~or~~ gender  
19 violence, or any other crime of violence to the  
20 employee or the employee's family or household member;

21 (B) obtaining services from a victim services  
22 organization for the employee or the employee's family  
23 or household member;

24 (C) obtaining psychological or other counseling  
25 for the employee or the employee's family or household  
26 member;

1 (D) participating in safety planning, temporarily  
2 or permanently relocating, or taking other actions to  
3 increase the safety of the employee or the employee's  
4 family or household member from future domestic  
5 violence, sexual violence, ~~or~~ gender violence, or any  
6 other crime of violence or ensure economic security;  
7 or

8 (E) seeking legal assistance or remedies to ensure  
9 the health and safety of the employee or the  
10 employee's family or household member, including  
11 preparing for or participating in any civil or  
12 criminal legal proceeding related to or derived from  
13 domestic violence, sexual violence, ~~or~~ gender  
14 violence, or any other crime of violence.

15 (2) Period. Subject to subsection (c), an employee  
16 working for an employer that employs at least 50 employees  
17 shall be entitled to a total of 12 workweeks of leave  
18 during any 12-month period. Subject to subsection (c), an  
19 employee working for an employer that employs at least 15  
20 but not more than 49 employees shall be entitled to a total  
21 of 8 workweeks of leave during any 12-month period.  
22 Subject to subsection (c), an employee working for an  
23 employer that employs at least one but not more than 14  
24 employees shall be entitled to a total of 4 workweeks of  
25 leave during any 12-month period. The total number of  
26 workweeks to which an employee is entitled shall not



1 decrease during the relevant 12-month period. This Act  
2 does not create a right for an employee to take unpaid  
3 leave that exceeds the unpaid leave time allowed under, or  
4 is in addition to the unpaid leave time permitted by, the  
5 federal Family and Medical Leave Act of 1993 (29 U.S.C.  
6 2601 et seq.).

7 (3) Schedule. Leave described in paragraph (1) may be  
8 taken consecutively, intermittently, or on a reduced work  
9 schedule.

10 (b) Notice. The employee shall provide the employer with  
11 at least 48 hours' advance notice of the employee's intention  
12 to take the leave, unless providing such notice is not  
13 practicable. When an unscheduled absence occurs, the employer  
14 may not take any action against the employee if the employee,  
15 upon request of the employer and within a reasonable period  
16 after the absence, provides certification under subsection  
17 (c).

18 (c) Certification.

19 (1) In general. The employer may require the employee  
20 to provide certification to the employer that:

21 (A) the employee or the employee's family or  
22 household member is a victim of domestic violence,  
23 sexual violence, ~~or~~ gender violence, or any other  
24 crime of violence; and

25 (B) the leave is for one of the purposes  
26 enumerated in paragraph (a) (1).

1           The employee shall provide such certification to the  
2 employer within a reasonable period after the employer  
3 requests certification.

4           (2) Contents. An employee may satisfy the  
5 certification requirement of paragraph (1) by providing to  
6 the employer a sworn statement of the employee, and if the  
7 employee has possession of such document, the employee  
8 shall provide one of the following documents ~~upon~~  
9 ~~obtaining such documents the employee shall provide:~~

10           (A) documentation from an employee, agent, or  
11 volunteer of a victim services organization, an  
12 attorney, a member of the clergy, or a medical or other  
13 professional from whom the employee or the employee's  
14 family or household member has sought assistance in  
15 addressing domestic violence, sexual violence, ~~or~~  
16 gender violence, or any other crime of violence and  
17 the effects of the violence;

18           (B) a police or court record; or

19           (C) other corroborating evidence.

20           The employee shall choose which document to submit,  
21 and the employer shall not request or require more than  
22 one document to be submitted during the same 12-month  
23 period leave is requested or taken if the reason for leave  
24 is related to the same incident or incidents of violence  
25 or the same perpetrator or perpetrators of the violence.

26           (d) Confidentiality. All information provided to the

1 employer pursuant to subsection (b) or (c), including a  
2 statement of the employee or any other documentation, record,  
3 or corroborating evidence, and the fact that the employee has  
4 requested or obtained leave pursuant to this Section, shall be  
5 retained in the strictest confidence by the employer, except  
6 to the extent that disclosure is:

7 (1) requested or consented to in writing by the  
8 employee; or

9 (2) otherwise required by applicable federal or State  
10 law.

11 (e) Employment and benefits.

12 (1) Restoration to position.

13 (A) In general. Any employee who takes leave under  
14 this Section for the intended purpose of the leave  
15 shall be entitled, on return from such leave:

16 (i) to be restored by the employer to the  
17 position of employment held by the employee when  
18 the leave commenced; or

19 (ii) to be restored to an equivalent position  
20 with equivalent employment benefits, pay, and  
21 other terms and conditions of employment.

22 (B) Loss of benefits. The taking of leave under  
23 this Section shall not result in the loss of any  
24 employment benefit accrued prior to the date on which  
25 the leave commenced.

26 (C) Limitations. Nothing in this subsection shall

1 be construed to entitle any restored employee to:

2 (i) the accrual of any seniority or employment  
3 benefits during any period of leave; or

4 (ii) any right, benefit, or position of  
5 employment other than any right, benefit, or  
6 position to which the employee would have been  
7 entitled had the employee not taken the leave.

8 (D) Construction. Nothing in this paragraph shall  
9 be construed to prohibit an employer from requiring an  
10 employee on leave under this Section to report  
11 periodically to the employer on the status and  
12 intention of the employee to return to work.

13 (2) Maintenance of health benefits.

14 (A) Coverage. Except as provided in subparagraph  
15 (B), during any period that an employee takes leave  
16 under this Section, the employer shall maintain  
17 coverage for the employee and any family or household  
18 member under any group health plan for the duration of  
19 such leave at the level and under the conditions  
20 coverage would have been provided if the employee had  
21 continued in employment continuously for the duration  
22 of such leave.

23 (B) Failure to return from leave. The employer may  
24 recover the premium that the employer paid for  
25 maintaining coverage for the employee and the  
26 employee's family or household member under such group

1 health plan during any period of leave under this  
2 Section if:

3 (i) the employee fails to return from leave  
4 under this Section after the period of leave to  
5 which the employee is entitled has expired; and

6 (ii) the employee fails to return to work for  
7 a reason other than:

8 (I) the continuation, recurrence, or onset  
9 of domestic violence, sexual violence, ~~or~~  
10 gender violence, or any other crime of  
11 violence that entitles the employee to leave  
12 pursuant to this Section; or

13 (II) other circumstances beyond the  
14 control of the employee.

15 (C) Certification.

16 (i) Issuance. An employer may require an  
17 employee who claims that the employee is unable to  
18 return to work because of a reason described in  
19 subclause (I) or (II) of subparagraph (B)(ii) to  
20 provide, within a reasonable period after making  
21 the claim, certification to the employer that the  
22 employee is unable to return to work because of  
23 that reason.

24 (ii) Contents. An employee may satisfy the  
25 certification requirement of clause (i) by  
26 providing to the employer:

1 (I) a sworn statement of the employee;

2 (II) documentation from an employee,  
3 agent, or volunteer of a victim services  
4 organization, an attorney, a member of the  
5 clergy, or a medical or other professional  
6 from whom the employee has sought assistance  
7 in addressing domestic violence, sexual  
8 violence, ~~or~~ gender violence, or any other  
9 crime of violence and the effects of that  
10 violence;

11 (III) a police or court record; or

12 (IV) other corroborating evidence.

13 The employee shall choose which document to submit,  
14 and the employer shall not request or require more than  
15 one document to be submitted.

16 (D) Confidentiality. All information provided to  
17 the employer pursuant to subparagraph (C), including a  
18 statement of the employee or any other documentation,  
19 record, or corroborating evidence, and the fact that  
20 the employee is not returning to work because of a  
21 reason described in subclause (I) or (II) of  
22 subparagraph (B)(ii) shall be retained in the  
23 strictest confidence by the employer, except to the  
24 extent that disclosure is:

25 (i) requested or consented to in writing by  
26 the employee; or

1                   (ii) otherwise required by applicable federal  
2                   or State law.

3           (f) Prohibited acts.

4                   (1) Interference with rights.

5                           (A) Exercise of rights. It shall be unlawful for  
6                           any employer to interfere with, restrain, or deny the  
7                           exercise of or the attempt to exercise any right  
8                           provided under this Section.

9                           (B) Employer discrimination. It shall be unlawful  
10                           for any employer to discharge or harass any  
11                           individual, or otherwise discriminate against any  
12                           individual with respect to compensation, terms,  
13                           conditions, or privileges of employment of the  
14                           individual (including retaliation in any form or  
15                           manner) because the individual:

16                                   (i) exercised any right provided under this  
17                                   Section; or

18                                   (ii) opposed any practice made unlawful by  
19                                   this Section.

20                           (C) Public agency sanctions. It shall be unlawful  
21                           for any public agency to deny, reduce, or terminate  
22                           the benefits of, otherwise sanction, or harass any  
23                           individual, or otherwise discriminate against any  
24                           individual with respect to the amount, terms, or  
25                           conditions of public assistance of the individual  
26                           (including retaliation in any form or manner) because

1 the individual:

2 (i) exercised any right provided under this  
3 Section; or

4 (ii) opposed any practice made unlawful by  
5 this Section.

6 (2) Interference with proceedings or inquiries. It  
7 shall be unlawful for any person to discharge or in any  
8 other manner discriminate (as described in subparagraph  
9 (B) or (C) of paragraph (1)) against any individual  
10 because such individual:

11 (A) has filed any charge, or has instituted or  
12 caused to be instituted any proceeding, under or  
13 related to this Section;

14 (B) has given, or is about to give, any  
15 information in connection with any inquiry or  
16 proceeding relating to any right provided under this  
17 Section; or

18 (C) has testified, or is about to testify, in any  
19 inquiry or proceeding relating to any right provided  
20 under this Section.

21 (Source: P.A. 101-221, eff. 1-1-20.)

22 (820 ILCS 180/25)

23 Sec. 25. Existing leave usable for addressing domestic  
24 violence, sexual violence, ~~or~~ gender violence, or any criminal  
25 violence. An employee who is entitled to take paid or unpaid



1 leave (including family, medical, sick, annual, personal, or  
2 similar leave) from employment, pursuant to federal, State, or  
3 local law, a collective bargaining agreement, or an employment  
4 benefits program or plan, may elect to substitute any period  
5 of such leave for an equivalent period of leave provided under  
6 Section 20. The employer may not require the employee to  
7 substitute available paid or unpaid leave for leave provided  
8 under Section 20.

9 (Source: P.A. 101-221, eff. 1-1-20.)

10 (820 ILCS 180/30)

11 Sec. 30. Victims' employment sustainability; prohibited  
12 discriminatory acts.

13 (a) An employer shall not fail to hire, refuse to hire,  
14 discharge, constructively discharge, or harass any individual,  
15 otherwise discriminate against any individual with respect to  
16 the compensation, terms, conditions, or privileges of  
17 employment of the individual, or retaliate against an  
18 individual in any form or manner, and a public agency shall not  
19 deny, reduce, or terminate the benefits of, otherwise  
20 sanction, or harass any individual, otherwise discriminate  
21 against any individual with respect to the amount, terms, or  
22 conditions of public assistance of the individual, or  
23 retaliate against an individual in any form or manner,  
24 because:

25 (1) the individual involved:

1 (A) is or is perceived to be a victim of domestic  
2 violence, sexual violence, ~~or~~ gender violence, or any  
3 criminal violence;

4 (B) attended, participated in, prepared for, or  
5 requested leave to attend, participate in, or prepare  
6 for a criminal or civil court proceeding relating to  
7 an incident of domestic violence, sexual violence, ~~or~~  
8 gender violence, or any criminal violence of which the  
9 individual or a family or household member of the  
10 individual was a victim, or requested or took leave  
11 for any other reason provided under Section 20;

12 (C) requested an adjustment to a job structure,  
13 workplace facility, or work requirement, including a  
14 transfer, reassignment, or modified schedule, leave, a  
15 changed telephone number or seating assignment,  
16 installation of a lock, or implementation of a safety  
17 procedure in response to actual or threatened domestic  
18 violence, sexual violence, ~~or~~ gender violence, or any  
19 other crime of violence, regardless of whether the  
20 request was granted; or

21 (D) is an employee whose employer is subject to  
22 Section 21 of the Workplace Violence Prevention Act;  
23 or

24 (2) the workplace is disrupted or threatened by the  
25 action of a person whom the individual states has  
26 committed or threatened to commit domestic violence,

1 sexual violence, ~~or~~ gender violence, or any other crime of  
2 violence against the individual or the individual's family  
3 or household member.

4 (b) In this Section:

5 (1) "Discriminate", used with respect to the terms,  
6 conditions, or privileges of employment or with respect to  
7 the terms or conditions of public assistance, includes not  
8 making a reasonable accommodation to the known limitations  
9 resulting from circumstances relating to being a victim of  
10 domestic violence, sexual violence, ~~or~~ gender violence, or  
11 any criminal violence or a family or household member  
12 being a victim of domestic violence, sexual violence, ~~or~~  
13 gender violence, or any other crime of violence of an  
14 otherwise qualified individual:

15 (A) who is:

16 (i) an applicant or employee of the employer  
17 (including a public agency); or

18 (ii) an applicant for or recipient of public  
19 assistance from a public agency; and

20 (B) who is:

21 (i) or is perceived to be a victim of domestic  
22 violence, sexual violence, ~~or~~ gender violence, or  
23 any other crime of violence; or

24 (ii) with a family or household member who is  
25 or is perceived to be a victim of domestic  
26 violence, sexual violence, ~~or~~ gender violence, or

1           any other crime of violence whose interests are  
2           not adverse to the individual in subparagraph (A)  
3           as it relates to the domestic violence, sexual  
4           violence, ~~or~~ gender violence, or any other crime  
5           of violence;

6           unless the employer or public agency can demonstrate that  
7           the accommodation would impose an undue hardship on the  
8           operation of the employer or public agency.

9           A reasonable accommodation must be made in a timely  
10          fashion. Any exigent circumstances or danger facing the  
11          employee or his or her family or household member shall be  
12          considered in determining whether the accommodation is  
13          reasonable.

14          (2) "Qualified individual" means:

15                (A) in the case of an applicant or employee  
16                described in paragraph (1)(A)(i), an individual who,  
17                but for being a victim of domestic violence, sexual  
18                violence, ~~or~~ gender violence, or any other crime of  
19                violence or with a family or household member who is a  
20                victim of domestic violence, sexual violence, ~~or~~  
21                gender violence, or any other crime of violence, can  
22                perform the essential functions of the employment  
23                position that such individual holds or desires; or

24                (B) in the case of an applicant or recipient  
25                described in paragraph (1)(A)(ii), an individual who,  
26                but for being a victim of domestic violence, sexual

1 violence, ~~or~~ gender violence, or any other crime of  
2 violence or with a family or household member who is a  
3 victim of domestic violence, sexual violence, ~~or~~  
4 gender violence, or any other crime of violence, can  
5 satisfy the essential requirements of the program  
6 providing the public assistance that the individual  
7 receives or desires.

8 (3) "Reasonable accommodation" may include an  
9 adjustment to a job structure, workplace facility, or work  
10 requirement, including a transfer, reassignment, or  
11 modified schedule, leave, a changed telephone number or  
12 seating assignment, installation of a lock, or  
13 implementation of a safety procedure, or assistance in  
14 documenting domestic violence, sexual violence, ~~or~~ gender  
15 violence, or any other crime of violence that occurs at  
16 the workplace or in work-related settings, or any other  
17 reasonable accommodation in response to actual or  
18 threatened domestic violence, sexual violence, ~~or~~ gender  
19 violence, or any other crime of violence.

20 (4) Undue hardship.

21 (A) In general. "Undue hardship" means an action  
22 requiring significant difficulty or expense, when  
23 considered in light of the factors set forth in  
24 subparagraph (B).

25 (B) Factors to be considered. In determining  
26 whether a reasonable accommodation would impose an

1 undue hardship on the operation of an employer or  
2 public agency, factors to be considered include:

3 (i) the nature and cost of the reasonable  
4 accommodation needed under this Section;

5 (ii) the overall financial resources of the  
6 facility involved in the provision of the  
7 reasonable accommodation, the number of persons  
8 employed at such facility, the effect on expenses  
9 and resources, or the impact otherwise of such  
10 accommodation on the operation of the facility;

11 (iii) the overall financial resources of the  
12 employer or public agency, the overall size of the  
13 business of an employer or public agency with  
14 respect to the number of employees of the employer  
15 or public agency, and the number, type, and  
16 location of the facilities of an employer or  
17 public agency; and

18 (iv) the type of operation of the employer or  
19 public agency, including the composition,  
20 structure, and functions of the workforce of the  
21 employer or public agency, the geographic  
22 separateness of the facility from the employer or  
23 public agency, and the administrative or fiscal  
24 relationship of the facility to the employer or  
25 public agency.

26 (c) An employer subject to Section 21 of the Workplace

1 Violence Prevention Act shall not violate any provisions of  
2 the Workplace Violence Prevention Act.

3 (d) Confidentiality. All information provided to the  
4 employer pursuant to this Section including a statement of the  
5 employee or any other documentation, record, or corroborating  
6 evidence, and the fact that the employee has requested or  
7 obtained an accommodation pursuant to this Section shall be  
8 retained in the strictest confidence by the employer, except  
9 to the extent that disclosure is:

10 (1) requested or consented to in writing by the  
11 employee; or

12 (2) otherwise required by applicable federal or State  
13 law.

14 (Source: P.A. 101-221, eff. 1-1-20.)

15 (820 ILCS 180/45)

16 Sec. 45. Effect on other laws and employment benefits.

17 (a) More protective laws, agreements, programs, and plans.

18 Nothing in this Act shall be construed to supersede any  
19 provision of any federal, State, or local law, collective  
20 bargaining agreement, or employment benefits program or plan  
21 that provides:

22 (1) greater leave benefits for victims of domestic  
23 violence, sexual violence, ~~or~~ gender violence, or any  
24 other crime of violence than the rights established under  
25 this Act; or

1           (2) leave benefits for a larger population of victims  
2           of domestic violence, sexual violence, ~~or~~ gender violence,  
3           or any other crime of violence (as defined in such law,  
4           agreement, program, or plan) than the victims of domestic  
5           violence, sexual violence, ~~or~~ gender violence, or any  
6           other crime of violence covered under this Act.

7           (b) Less protective laws, agreements, programs, and plans.  
8           The rights established for employees who are victims of  
9           domestic violence, sexual violence, ~~or~~ gender violence, or any  
10          other crime of violence and employees with a family or  
11          household member who is a victim of domestic violence, sexual  
12          violence, ~~or~~ gender violence, or any other crime of violence  
13          under this Act shall not be diminished by any federal, State or  
14          local law, collective bargaining agreement, or employment  
15          benefits program or plan.

16          (Source: P.A. 101-221, eff. 1-1-20.)