

# HB3680



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3680

Introduced 2/22/2021, by Rep. Joe Sosnowski

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Deployment and Training Leave Protection Act. Provides that law enforcement officers who are active members of the United States Armed Forces must be permitted to take a leave of absence from their full-time employment in law enforcement when the need arises for the officer to participate in deployment or training. Provides benefits in addition to those contained in a collective bargaining agreement or other law. Provides that leave may not be denied solely on the time of the year the deployment or training would occur. Applies to employers granted the power to employ law enforcement officers. Preempts home rule.

LRB102 12780 JLS 18119 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE 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  
5 Deployment and Training Leave Protection Act.

6 Section 5. Affirmation. The State of Illinois affirms that  
7 an individual who is an active member of the United States  
8 Armed Forces and is serving honorably in that capacity should  
9 have the necessary protections and rights to be able to serve  
10 his or her country and State without any fear that his or her  
11 employment will be impacted.

12 Section 10. Definitions. In this Act:

13 "Eligible employee" means an Illinois resident who (i) is  
14 a member of the United States Armed Forces on active duty or  
15 State active duty, a member of the Illinois National Guard, or  
16 a member of the United States Reserve Forces and (ii) is a  
17 full-time law enforcement officer.

18 "Employer" means the State of Illinois, any unit of local  
19 government, any State-supported college or university, or any  
20 other public entity granted the power to employ law  
21 enforcement officers.

1           Section 15. Leave of absence protection. Upon request, an  
2 eligible employee subject to this Act shall be entitled to  
3 deployment and training leave. The eligible employee and  
4 employer must agree to the exact terms and conditions for the  
5 deployment and training leave. The employer may compel the  
6 eligible employee to verify the need for deployment and  
7 training leave. The eligible employee may take deployment and  
8 training leave only after obtaining approval from the  
9 employer. The approval of the employer, however, in no event  
10 shall be denied based solely on the time of year the deployment  
11 and training leave would take place.

12           Section 20. Rules. The Department of Labor, in  
13 consultation with the Department of Veterans' Affairs, shall  
14 adopt rules governing deployment and training leave, including  
15 rules that (i) establish conditions and procedures for  
16 requesting and approving leave and (ii) require documentation  
17 of the proposed deployment or training leave before leave is  
18 approved by the employer.

19           Section 25. Supremacy of Act. Nothing in this Act shall  
20 supersede, nullify, or diminish any federal or State law  
21 (including any local law or ordinance), contract, agreement,  
22 policy, plan, practice, or other matter that establishes a  
23 right or benefit that is more beneficial to, or is in addition  
24 to, a right or benefit provided for a person in this Act.

1           Section 30. Home rule. A home rule unit may not regulate  
2           the use of leave for deployment or training in a manner more  
3           restrictive than the regulation by the State of leave for  
4           deployment or training under this Act. This Section is a  
5           limitation under subsection (i) of Section 6 of Article VII of  
6           the Illinois Constitution on the concurrent exercise by home  
7           rule units of powers and functions exercised by the State.