



Rep. LaToya Greenwood

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10200HB4038ham001

LRB102 10045 JLS 23541 a

1 AMENDMENT TO HOUSE BILL 4038

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4038 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Employee Sick Leave Act is amended by  
5 changing Sections 5 and 10 as follows:

6 (820 ILCS 191/5)

7 Sec. 5. Definitions. In this Act:

8 "Department" means the Department of Labor.

9 "Covered family member" means an employee's child,  
10 stepchild, spouse, domestic partner, sibling, parent,  
11 mother-in-law, father-in-law, grandchild, grandparent, or  
12 stepparent.

13 "Personal care" means activities to ensure that a covered  
14 family member's basic medical, hygienic, nutritional, or  
15 safety needs are met or to provide transportation to medical  
16 appointments for a covered family member who is unable to meet

1 those needs alone. "Personal care" also means being physically  
2 present to provide emotional support to a covered family  
3 member with a serious health condition who is receiving  
4 inpatient or home care.

5 "Personal sick leave benefits" means any paid or unpaid  
6 time available to an employee as provided through an  
7 employment benefit plan or paid time off policy to be used as a  
8 result of absence from work due to personal illness, injury,  
9 or medical appointment. An employment benefit plan or paid  
10 time off policy does not include long term disability, short  
11 term disability, an insurance policy, or other comparable  
12 benefit plan or policy.

13 (Source: P.A. 99-841, eff. 1-1-17; 99-921, eff. 1-13-17.)

14 (820 ILCS 191/10)

15 Sec. 10. Use of leave; limitations.

16 (a) An employee may use personal sick leave benefits  
17 provided by the employer for absences due to an illness,  
18 injury, or medical appointment of a covered family member or  
19 for the personal care of a covered family member ~~the~~  
20 ~~employee's child, stepchild, spouse, domestic partner,~~  
21 ~~sibling, parent, mother-in-law, father-in-law, grandchild,~~  
22 ~~grandparent, or stepparent,~~ on the same terms upon which the  
23 employee is able to use personal sick leave benefits for the  
24 employee's own illness or injury. An employer may request  
25 written verification of the employee's absence from a health

1 care professional if such verification is required under the  
2 employer's employment benefit plan or paid time off policy.

3 (b) An employer may limit the use of personal sick leave  
4 benefits provided by the employer for absences due to an  
5 illness, injury, ~~or~~ medical appointment, or personal care of a  
6 covered family member ~~of the employee's child, stepchild,~~  
7 ~~spouse, domestic partner, sibling, parent, mother in law,~~  
8 ~~father in law, grandchild, grandparent, or stepparent~~ to an  
9 amount not less than the personal sick leave that would be  
10 earned or accrued during 6 months at the employee's then  
11 current rate of entitlement. For employers who base personal  
12 sick leave benefits on an employee's years of service instead  
13 of annual or monthly accrual, such employer may limit the  
14 amount of sick leave to be used under this Act to half of the  
15 employee's maximum annual grant.

16 (c) An employer who provides personal sick leave benefits  
17 or a paid time off policy that would otherwise provide  
18 benefits as required under subsections (a) and (b) shall not  
19 be required to modify such benefits.

20 (Source: P.A. 99-841, eff. 1-1-17; 99-921, eff. 1-13-17.)".