

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 3. The Equal Pay Act of 2003 is amended by changing  
5 Section 11 as follows:

6 (820 ILCS 112/11)

7 Sec. 11. Equal pay registration certificate requirements;  
8 application. For the purposes of this Section 11 only,  
9 "business" means any private employer who has 100 or more ~~more~~  
10 ~~than 100~~ employees in the State of Illinois and is required to  
11 file an Annual Employer Information Report EEO-1 with the  
12 Equal Employment Opportunity Commission, but does not include  
13 the State of Illinois or any political subdivision, municipal  
14 corporation, or other governmental unit or agency.

15 (a) A business must obtain an equal pay registration  
16 certificate from the Department.

17 (b) Any business subject to the requirements of this  
18 Section that is authorized to transact business in this State  
19 on March 23, 2021 shall submit an application to obtain an  
20 equal pay registration certificate, between March 24, 2022 and  
21 March 23, 2024, and must recertify every 2 years thereafter.  
22 Any business subject to the requirements of this Section that  
23 is authorized to transact business in this State after March

1 23, 2021 must submit an application to obtain an equal pay  
2 registration certificate within 3 years of commencing business  
3 operations, but not before January 1, 2024, and must recertify  
4 every 2 years thereafter. The Department shall collect contact  
5 information from each business subject to this Section. The  
6 Department shall assign each business a date by which it must  
7 submit an application to obtain an equal pay registration  
8 certificate. The business shall recertify every 2 years at a  
9 date to be determined by the Department. When a business  
10 receives a notice from the Department to recertify for its  
11 equal pay registration certificate, if the business has fewer  
12 than 100 employees, the business must certify in writing to  
13 the Department that it is exempt from this Section. Any new  
14 business that is subject to this Section and authorized to  
15 conduct business in this State, after the effective date of  
16 this amendatory Act of the 102nd General Assembly, shall  
17 submit its contact information to the Department by January 1  
18 of the following year and shall be assigned a date by which it  
19 must submit an application to obtain an equal pay registration  
20 certificate. The Department's failure to assign a business a  
21 registration date does not exempt the business from compliance  
22 with this Section. The failure of the Department to notify a  
23 business of its recertification deadline may be a mitigating  
24 factor when making a determination of a violation of this  
25 Section.

26 (c) Application.

1           (1) A business shall apply for an equal pay  
2 registration certificate by paying a \$150 filing fee and  
3 submitting wage records and an equal pay compliance  
4 statement to the Director as follows:

5           (A) Wage Records. Any business that is required to  
6 file an annual Employer Information Report EEO-1 with  
7 the Equal Employment Opportunity Commission must also  
8 submit to the Director a copy of the business's most  
9 recently filed Employer Information Report EEO-1. The  
10 business shall also compile a list of all employees  
11 during the past calendar year, separated by gender and  
12 the race and ethnicity categories as reported in the  
13 business's most recently filed Employer Information  
14 Report EEO-1, and the county in which the employee  
15 works, the date the employee started working for the  
16 business, any other information the Department deems  
17 necessary to determine if pay equity exists among  
18 employees, and report the total wages as defined by  
19 Section 2 of the Illinois Wage Payment and Collection  
20 Act paid to each employee during the past calendar  
21 year, rounded to the nearest \$100, to the Director.

22           (B) Equal Pay Compliance Statement. The business  
23 must submit a statement signed by a corporate officer,  
24 legal counsel, or authorized agent of the business  
25 certifying:

26           (i) that the business is in compliance with

1           this Act and other relevant laws, including but  
2           not limited to: Title VII of the Civil Rights Act  
3           of 1964, the Equal Pay Act of 1963, the Illinois  
4           Human Rights Act, and the Equal Wage Act;

5           (ii) that the average compensation for its  
6           female and minority employees is not consistently  
7           below the average compensation, as determined by  
8           rule by the United States Department of Labor, for  
9           its male and non-minority employees within each of  
10          the major job categories in the Employer  
11          Information Report EEO-1 for which an employee is  
12          expected to perform work, taking into account  
13          factors such as length of service, requirements of  
14          specific jobs, experience, skill, effort,  
15          responsibility, working conditions of the job,  
16          education or training, job location, use of a  
17          collective bargaining agreement, or other  
18          mitigating factors; as used in this subparagraph,  
19          "minority" has the meaning ascribed to that term  
20          in paragraph (1) of subsection (A) of Section 2 of  
21          the Business Enterprise for Minorities, Women, and  
22          Persons with Disabilities Act;

23          (iii) that the business does not restrict  
24          employees of one sex to certain job  
25          classifications, and makes retention and promotion  
26          decisions without regard to sex;

1 (iv) that wage and benefit disparities are  
2 corrected when identified to ensure compliance  
3 with the Acts cited in item (i);

4 (v) how often wages and benefits are  
5 evaluated; and

6 (vi) the approach the business takes in  
7 determining what level of wages and benefits to  
8 pay its employees; acceptable approaches include,  
9 but are not limited to, a wage and salary survey.

10 (C) Filing fee. The business shall pay to the  
11 Department a filing fee of \$150. Proceeds from the  
12 fees collected under this Section shall be deposited  
13 into the Equal Pay Registration Fund, a special fund  
14 created in the State treasury. Moneys in the Fund  
15 shall be appropriated to the Department for the  
16 purposes of this Section.

17 (2) Receipt of the equal pay compliance application  
18 and statement by the Director does not establish  
19 compliance with the Acts set forth in item (i) of  
20 subparagraph (B) of paragraph (1) of this subsection (c).

21 (3) A business that has employees in multiple  
22 locations or facilities in Illinois shall submit a single  
23 application to the Department regarding all of its  
24 operations in Illinois.

25 (d) Issuance or rejection of registration certificate.  
26 After January 1, 2022, the Director must issue an equal pay

1 registration certificate, or a statement of why the  
2 application was rejected, within 45 calendar days of receipt  
3 of the application. Applicants shall have the opportunity to  
4 cure any deficiencies in its application that led to the  
5 rejection, and re-submit the revised application to the  
6 Department within 30 calendar days of receiving a rejection.  
7 Applicants shall have the ability to appeal rejected  
8 applications. An application may be rejected only if it does  
9 not comply with the requirements of subsection (c), or the  
10 business is otherwise found to be in violation of this Act. The  
11 receipt of an application by the Department, or the issuance  
12 of a registration certificate by the Department, shall not  
13 establish compliance with the Equal Pay Act of 2003 as to all  
14 Sections except Section 11. The issuance of a registration  
15 certificate shall not be a defense against any Equal Pay Act  
16 violation found by the Department, nor a basis for mitigation  
17 of damages.

18 (e) Revocation of registration certificate. An equal pay  
19 registration certificate for a business may be suspended or  
20 revoked by the Director when the business fails to make a good  
21 faith effort to comply with the Acts identified in item (i) of  
22 subparagraph (B) of paragraph (1) of subsection (c), fails to  
23 make a good faith effort to comply with this Section, or has  
24 multiple violations of this Section or the Acts identified in  
25 item (i) of subparagraph (B) of paragraph (1) of subsection  
26 (c). Prior to suspending or revoking a registration

1 certificate, the Director must first have sought to conciliate  
2 with the business regarding wages and benefits due to  
3 employees.

4 Consistent with Section 25, prior to or in connection with  
5 the suspension or revocation of an equal pay registration  
6 certificate, the Director, or his or her authorized  
7 representative, may interview workers, administer oaths, take  
8 or cause to be taken the depositions of witnesses, and require  
9 by subpoena the attendance and testimony of witnesses, and the  
10 production of personnel and compensation information relative  
11 to the matter under investigation, hearing or a  
12 department-initiated audit.

13 Neither the Department nor the Director shall be held  
14 liable for good faith errors in issuing, denying, suspending  
15 or revoking certificates.

16 (f) Administrative review. A business may obtain an  
17 administrative hearing in accordance with the Illinois  
18 Administrative Procedure Act before the suspension or  
19 revocation of its certificate or imposition of civil penalties  
20 as provided by subsection (i) is effective by filing a written  
21 request for hearing within 20 calendar days after service of  
22 notice by the Director.

23 (g) Technical assistance. The Director must provide  
24 technical assistance to any business that requests assistance  
25 regarding this Section.

26 (h) Access to data.

1           (1) Any individually identifiable information  
2 submitted to the Director within or related to an equal  
3 pay registration application or otherwise provided by an  
4 employer in its equal pay compliance statement under  
5 subsection (c) shall be considered confidential  
6 information and not subject to disclosure pursuant to the  
7 Illinois Freedom of Information Act. As used in this  
8 Section, "individually identifiable information" means  
9 data submitted pursuant to this Section that is associated  
10 with a specific person or business. Aggregate data or  
11 reports that are reasonably calculated to prevent the  
12 association of any data with any individual business or  
13 person are not confidential information. Aggregate data  
14 shall include the job category and the average hourly wage  
15 by county for each gender, race, and ethnicity category on  
16 the registration certificate applications. The Department  
17 of Labor may compile aggregate data from registration  
18 certificate applications.

19           (2) The Director's decision to issue, not issue,  
20 revoke, or suspend an equal pay registration certificate  
21 is public information.

22           (3) Notwithstanding this subsection (h), a current  
23 employee of a covered business may request anonymized data  
24 regarding their job classification or title and the pay  
25 for that classification. No individually identifiable  
26 information may be provided to an employee making a



1 request under this paragraph.

2 (4) Notwithstanding this subsection (h), the  
3 Department may share data and identifiable information  
4 with the Department of Human Rights, pursuant to its  
5 enforcement of Article 2 of the Illinois Human Rights Act,  
6 or the Office of the Attorney General, pursuant to its  
7 enforcement of Section 10-104 of the Illinois Human Rights  
8 Act.

9 (5) Any Department employee who willfully and  
10 knowingly divulges, except in accordance with a proper  
11 judicial order or otherwise provided by law, confidential  
12 information received by the Department from any business  
13 pursuant to this Act shall be deemed to have violated the  
14 State Officials and Employees Ethics Act and be subject to  
15 the penalties established under subsections (e) and (f) of  
16 Section 50-5 of that Act after investigation and  
17 opportunity for hearing before the Executive Ethics  
18 Commission in accordance with Section 20-50 of that Act.

19 (i) Penalty. Falsification or misrepresentation of  
20 information on an application submitted to the Department  
21 shall constitute a violation of this Act and the Department  
22 may seek to suspend or revoke an equal pay registration  
23 certificate or impose civil penalties as provided under  
24 subsection (c) of Section 30.

25 (Source: P.A. 101-656, eff. 3-23-21; 102-36, eff. 6-25-21.)

1           Section 5. The Occupational Safety and Health Act is  
2 amended by changing Sections 25, 60, 65, 80, 85, 90, 100, and  
3 110 as follows:

4           (820 ILCS 219/25)

5           Sec. 25. Occupational safety and health standards.

6           (a) All federal occupational safety and health standards  
7 which the United States Secretary of Labor has promulgated or  
8 modified in accordance with the federal Occupational Safety  
9 and Health Act of 1970 and which are in effect on the effective  
10 date of this Act shall be and are hereby made rules of the  
11 Department unless the Director promulgates an alternate  
12 standard that is at least as effective in providing safe and  
13 healthful employment and places of employment as a federal  
14 standard. Before developing and adopting an alternate standard  
15 or modifying or revoking an existing standard, the Director  
16 must consider factual information that includes:

17           (1) Expert technical knowledge.

18           (2) Input from interested persons, including  
19 employers, employees, recognized standards-producing  
20 organizations, and the public.

21           (b) All federal occupational safety and health standards  
22 which the United States Secretary of Labor promulgates or  
23 modifies in accordance with the federal Occupational Safety  
24 and Health Act of 1970 on or after the effective date of this  
25 Act, unless revoked by the Secretary of Labor, shall become

1 rules of the Department within 6 months after their federal  
2 promulgation date, unless there has been in effect in this  
3 State at the time of the promulgation or modification of the  
4 federal standard an alternate State standard that is at least  
5 as effective in providing safe and healthful employment and  
6 places of employment as a federal standard. The alternate  
7 State standard, if not currently contained in the Department's  
8 rules, shall not become effective, however, unless the  
9 Department, within 45 days after the federal promulgation  
10 date, files with the office of the Secretary of State in  
11 Springfield, Illinois, a certified copy of the rule as  
12 provided in the Illinois Administrative Procedure Act.

13 (Source: P.A. 98-874, eff. 1-1-15.)

14 (820 ILCS 219/60)

15 Sec. 60. Employers' records.

16 (a) The Director shall adopt rules requiring public  
17 employers to maintain accurate records of, and to make reports  
18 on, work-related deaths, injuries, and illnesses, other than  
19 minor injuries requiring only first aid treatment and which do  
20 not involve medical treatment, loss of consciousness,  
21 restriction of work or motion, or transfer to another job. The  
22 rules shall specifically include all of the reporting  
23 provisions of Section 6 of the Workers' Compensation Act and  
24 Section 6 of the Workers' Occupational Diseases Act. The  
25 records shall be available to any State agency requiring such

1 information.

2 (b) The Director shall adopt rules requiring public  
3 employers to maintain accurate records of employee exposures  
4 to potentially toxic materials or harmful physical agents  
5 which are required to be monitored or measured under this Act.  
6 The rules shall provide employees or their authorized  
7 representative with an opportunity to observe the monitoring  
8 or measuring, and to have access to the records of the  
9 monitoring or measuring. The rules shall provide appropriate  
10 means by which each employee or former employee may have  
11 access to such records as will indicate his or her exposure to  
12 toxic materials or harmful physical agents.

13 (c) A public employer shall promptly notify any employee  
14 who has been or is being exposed to toxic materials or harmful  
15 physical agents in concentrations or at levels which exceed  
16 those prescribed by an occupational safety and health standard  
17 and shall inform the employee who is being thus exposed of the  
18 action being taken by the employer to correct such exposure.

19 (Source: P.A. 98-874, eff. 1-1-15.)

20 (820 ILCS 219/65)

21 Sec. 65. Periodic inspection of workplaces.

22 (a) The Director shall enforce the occupational safety and  
23 health standards and rules promulgated under this Act and any  
24 occupational health and safety regulations relating to  
25 inspection of places of employment, and shall visit and

1 inspect, as often as practicable, the places of employment  
2 covered by this Act.

3 (b) The Director or his or her authorized representative,  
4 upon presenting appropriate credentials to a public employer's  
5 agent in charge, has the right to enter and inspect all places  
6 of employment covered by this Act as follows:

7 (1) An inspector may enter without delay and at  
8 reasonable times any establishment, construction site, or  
9 other area, workplace, or environment where work is  
10 performed by an employee of a public employer in order to  
11 enforce the occupational safety and health standards  
12 adopted under this Act.

13 (2) If a public employer refuses entry to an inspector  
14 upon being presented with proper credentials or allows  
15 entry but then refuses to permit or hinders the inspection  
16 in any way, the inspector shall leave the premises and  
17 immediately report the refusal to authorized management  
18 within the Division. Authorized management shall notify  
19 the Director to initiate the compulsory legal process to  
20 obtain entry or obtain a warrant for entry, or both.

21 (3) An inspector may inspect and investigate during  
22 regular working hours and at other reasonable times, and  
23 within reasonable limits and in a reasonable manner, any  
24 workplace described in paragraph (1) and all pertinent  
25 conditions, structures, machines, apparatus, devices,  
26 equipment, and materials therein, and to question

1 privately the employer or any agent or employee of the  
2 employer.

3 (4) The owner, operator, manager, or lessee of any  
4 workplace covered by this Act, and his or her agent or  
5 employee, and any employer affected by this Act shall,  
6 when requested by the Division of Occupational Safety and  
7 Health or any duly authorized agent of that Division: (i)  
8 furnish any information in his or her possession or under  
9 his or her control which the Department is authorized to  
10 require, (ii) answer truthfully all questions required to  
11 be put to him or her, and (iii) cooperate in the making of  
12 a proper inspection.

13 (c) In making his or her inspection and investigations  
14 under this Act, the Director ~~of Labor~~ has the power to require  
15 the attendance and testimony of witnesses and the production  
16 of evidence under oath.

17 (Source: P.A. 98-874, eff. 1-1-15; 99-336, eff. 8-10-15.)

18 (820 ILCS 219/80)

19 Sec. 80. Violation of Act or standard; citation.

20 (a) Upon inspection or investigation of a workplace, if  
21 the Director or his or her authorized representative believes  
22 that a public employer has violated a requirement of this Act  
23 or a standard, rule, or regulation promulgated under this Act,  
24 he or she shall with reasonable promptness issue a citation to  
25 the employer. A citation shall: (i) be in writing, (ii)

1 describe with particularity the nature of the violation and  
2 include a reference to the provision of the Act, standard,  
3 rule, or regulation alleged to have been violated, and (iii)  
4 fix a reasonable time for the abatement of the violation.

5 (b) Each citation issued under this Section, or a copy or  
6 copies thereof, shall be prominently posted at or near the  
7 place at which the violation occurred as prescribed in rules  
8 adopted by the Director.

9 (c) A citation shall be served on the employer or the  
10 employer's agent by delivering a copy to the person upon whom  
11 the service is to be had, or by leaving a copy at his or her  
12 usual place of business or abode, or by sending a copy by  
13 certified mail to his or her place of business, or by sending a  
14 copy by email to an email address previously designated by the  
15 employer for purposes of receiving notice under this Act.

16 (d) A citation may not be issued under this Section after  
17 the expiration of 6 months following the occurrence of any  
18 violation.

19 (Source: P.A. 98-874, eff. 1-1-15.)

20 (820 ILCS 219/85)

21 Sec. 85. Civil penalties.

22 (a) After an inspection of a workplace under this Act, if  
23 the Director issues a citation, he or she shall, within 5 days  
24 after issuing the citation, notify the employer by certified  
25 mail, or by email to an email address previously designated by

1 the employer for purposes of receiving notice under this Act,  
2 of any civil penalty proposed to be assessed for the violation  
3 set forth in the citation.

4 (b) If the Director has reason to believe that an employer  
5 has failed to correct a violation for which a citation has been  
6 issued within the period permitted for its correction, the  
7 Director shall notify the employer by certified mail, or by  
8 email to an email address previously designated by the  
9 employer for purposes of receiving notice under this Act, of  
10 that failure and of the civil penalty proposed to be assessed  
11 for that failure.

12 (c) Civil penalties authorized under this Section are as  
13 follows:

14 (1) A public employer that repeatedly violates this  
15 Act, the Safety Inspection and Education Act, or the  
16 Health and Safety Act, or any combination of those Acts,  
17 or any standard, rule, regulation, or order under any of  
18 those Acts, may be assessed a civil penalty of not more  
19 than \$10,000 per violation.

20 (2) A public employer that intentionally violates this  
21 Act, the Safety Inspection and Education Act, or the  
22 Health and Safety Act, or any standard, rule, regulation,  
23 or order under any of those Acts, or who demonstrates  
24 plain indifference to any provision of any of those Acts  
25 or any such standard, rule, regulation, or order, may be  
26 assessed a civil penalty of not more than \$10,000 per



1       violation.

2           (3) A public employer that has received a citation for  
3 a serious violation of this Act, the Safety Inspection and  
4 Education Act, or the Health and Safety Act, or any  
5 standard, rule, regulation, or order under any of those  
6 Acts, may be assessed a civil penalty up to \$1,000 for each  
7 such violation.

8           (4) A public employer that has received a citation for  
9 a violation of this Act, the Safety Inspection and  
10 Education Act, or the Health and Safety Act, or any  
11 standard, rule, regulation, or order under any of those  
12 Acts, which is not a serious violation, may be assessed a  
13 civil penalty of up to \$1,000 for each such violation.

14           (5) A public employer that violates a posting  
15 requirement is subject to the following citations and  
16 proposed penalty structure:

17           (A) Job Safety and Health Poster: an other than  
18 serious citation and a proposed penalty of \$1,000.

19           (B) Annual Summary of Work-Related Injuries and  
20 Illnesses (OSHA Form 300A): an other than serious  
21 citation and a proposed penalty of \$1,000, even if  
22 there are no recordable injuries or illnesses.

23           (C) Citation: an other than serious citation and a  
24 proposed penalty of \$1,000.

25           (6) A public employer that fails to correct a  
26 violation for which a citation has been issued within the

1        time period permitted may be assessed a civil penalty of  
2        up to \$1,000 for each day the violation continues.

3        (d) For purposes of this Section, a "serious violation"  
4        shall be deemed to exist in a workplace if there is a  
5        substantial probability that death or serious physical harm  
6        could result from (i) a condition which exists or (ii) one or  
7        more practices, means, methods, operations, or processes which  
8        have been adopted or are in use in the workplace, unless the  
9        employer did not know and could not, with the exercise of  
10       reasonable diligence, have known of the presence of the  
11       violation.

12       (e) The Director may assess civil penalties as provided in  
13       this Section, giving due consideration to the appropriateness  
14       of the penalty. A penalty may be reduced by the Director or the  
15       Director's authorized representative based on the public  
16       employer's good faith, size of business, and history of  
17       previous violations.

18       (f) The Attorney General may bring an action in the  
19       circuit court to enforce the collection of any civil penalty  
20       assessed under this Act.

21       (g) All civil penalties collected under this Act shall be  
22       deposited into the General Revenue Fund of the State of  
23       Illinois.

24       (Source: P.A. 98-874, eff. 1-1-15.)

25       (820 ILCS 219/90)

1           Sec. 90. Informal review.

2           (a) A public employer may submit in writing data relating  
3 to the abatement of a hazard to be considered by an authorized  
4 representative of the Director. The authorized representative  
5 shall notify the interested parties if such data will be used  
6 to modify an abatement order.

7           (b) Within 15 business ~~working~~ days after receiving a  
8 citation, proposed assessment of a civil penalty, or notice of  
9 failure to correct a violation, a public employer or the  
10 employer's agent may request that an authorized representative  
11 of the Director review abatement dates, reclassify violations  
12 (such as willful to serious, serious to other than serious),  
13 or modify or withdraw a penalty, a citation, or a citation  
14 item, or any combination of those, if the employer presents  
15 evidence during the informal conference which convinces the  
16 authorized representative that the changes are justified.

17           (Source: P.A. 98-874, eff. 1-1-15.)

18           (820 ILCS 219/100)

19           Sec. 100. Hearing.

20           (a) If a public employer or the employer's representative  
21 notifies the Director that the employer intends to contest a  
22 citation and notice of penalty or if, within 15 business  
23 ~~working~~ days after the issuance of the citation, an employee  
24 or representative of employees files a notice with the  
25 Director alleging that the period of time fixed in the

1 citation for the abatement of the violation is unreasonable,  
2 the Director shall afford an opportunity for a hearing before  
3 an Administrative Law Judge designated by the Director.

4 (b) At the hearing, the employer or employee shall state  
5 his or her objections to the citation and provide evidence why  
6 the citation should not stand as issued. The Director or his or  
7 her representative shall be given the opportunity to state his  
8 or her reasons for issuing the citation. Affected employees  
9 shall be provided an opportunity to participate as parties to  
10 hearings under the rules of procedure prescribed by the  
11 Director (56 Ill. Admin. Code, Part 120).

12 (c) The Director, or the Administrative Law Judge on  
13 behalf of the Director, has the power to do the following:

14 (1) Issue subpoenas for and compel the attendance of  
15 witnesses.

16 (2) Hear testimony and receive evidence.

17 (3) Order testimony of a witness residing within or  
18 without this State to be taken by deposition in the manner  
19 prescribed by law for depositions in civil cases in the  
20 circuit court in any proceeding pending before him or her  
21 at any stage of such proceeding.

22 (d) Subpoenas and commissions to take testimony shall be  
23 issued by ~~under seal of~~ the Director. Service of subpoenas may  
24 be made by a sheriff or any other person.

25 (e) The circuit court for the county where any hearing is  
26 pending may compel the attendance of witnesses, the production

1 of pertinent books, papers, records, or documents, and the  
2 giving of testimony before the Director or an Administrative  
3 Law Judge by an attachment proceeding, as for contempt, in the  
4 same manner as the production of evidence may be compelled  
5 before the court.

6 (f) The Administrative Law Judge on behalf of the  
7 Director, after considering the evidence presented at the  
8 formal hearing, in accordance with the Director's rules, shall  
9 enter a final decision and order within a reasonable time  
10 affirming, modifying, or vacating the citation or proposed  
11 assessment of a civil penalty, or directing other appropriate  
12 relief.

13 (Source: P.A. 98-874, eff. 1-1-15.)

14 (820 ILCS 219/110)

15 Sec. 110. Discrimination against employee prohibited.

16 (a) A person may not discharge or in any way discriminate  
17 against an employee because the employee has: (i) filed a  
18 complaint or instituted or caused to be instituted any  
19 proceeding under this Act, (ii) testified or is about to  
20 testify in any such proceeding, or (iii) exercised, on his or  
21 her own behalf or on behalf of another person, any right  
22 afforded by this Act, including reporting potential violations  
23 of this Act to a member of management with authority to address  
24 the concerns.

25 (b) An employee who believes that he or she has been

1 discharged or otherwise discriminated against by an employer  
2 in violation of this Section may, within 30 calendar days  
3 after the violation occurs, file a complaint with the Director  
4 alleging the discrimination.

5 (c) Upon receipt of the complaint, the Director shall  
6 cause an investigation to be made as the Director deems  
7 appropriate. After the investigation, if the Director  
8 determines that the employer has violated this Section, the  
9 Director shall bring an action in the circuit court for  
10 appropriate relief, including rehiring or reinstatement of the  
11 employee to his or her former position with back pay, after  
12 taking into account any interim earnings of the employee. In  
13 such matters the Director shall be represented by the Attorney  
14 General.

15 (Source: P.A. 98-874, eff. 1-1-15.)

16 Section 99. Effective date. This Section and Section 3  
17 takes effect immediately.