



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5119

Introduced 1/27/2022, by Rep. David A. Welter

#### SYNOPSIS AS INTRODUCED:

820 ILCS 405/503 new

Amends the Unemployment Insurance Act. Provides that an employer that requires an employee to receive a COVID-19 vaccine shall waive the requirement if the employee, or, if the employee is a minor, the employee's parent or legal guardian, requests a waiver and submits a statement satisfying specified requirements. Provides that an individual who is discharged from employment for refusing to receive a vaccination against COVID-19, shall not be disqualified for benefits on account of such discharge. Provides that if an employee is discharged from employment for refusing to receive a vaccination against COVID-19, the contribution rate and unemployment experience of any employer employing the employee, or an employer that previously employed the employee other than the employer that discharged the employee, shall be unaffected by such discharge. Provides that the Department of Labor shall not impose any penalty on, or take any other action otherwise permitted under the Act against, any employer employing the employee, or an employer that previously employed the employee other than the employer that discharged the employee, as a result of such discharge. Effective immediately.

LRB102 23097 SPS 32254 b

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 Unemployment Insurance Act is amended by  
5 adding Section 503 as follows:

6 (820 ILCS 405/503 new)

7 Sec. 503. COVID-19 vaccination requirement by employers;  
8 waiver; no disqualification for benefits.

9 (a) An employer that requires an employee to receive a  
10 COVID-19 vaccine shall waive the requirement if the employee,  
11 or, if the employee is a minor, the employee's parent or legal  
12 guardian, requests a waiver and submits either of the  
13 following to the employer:

14 (1) A statement that receiving the vaccine would be  
15 injurious to the health and well-being of the employee or  
16 an individual residing with the employee; or

17 (2) A statement that receiving the vaccine would  
18 conflict with the tenets and practices of a religion of  
19 which the employee is an adherent or member.

20 (b) Notwithstanding any other provision of this Act to the  
21 contrary, an individual who is discharged from employment for  
22 refusing to receive a vaccination against COVID-19, shall not  
23 be disqualified for benefits on account of such discharge.

1       (c) If an employee is discharged from employment for  
2       refusing to receive a vaccination against COVID-19, the  
3       contribution rate and unemployment experience of any employer  
4       employing the employee, or an employer that previously  
5       employed the employee other than the employer that discharged  
6       the employee, shall be unaffected by such discharge. The  
7       Department shall not impose any penalty on, or take any other  
8       action otherwise permitted under this Act against, any  
9       employer employing the employee, or an employer that  
10       previously employed the employee other than the employer that  
11       discharged the employee, as a result of such discharge.

12       Section 99. Effective date. This Act takes effect upon  
13       becoming law.