

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 Child Bereavement Leave Act is amended by
5 changing Sections 1, 5, and 10 as follows:

6 (820 ILCS 154/1)

7 Sec. 1. Short title. This Act may be cited as the Family
8 ~~Child~~ Bereavement Leave Act.

9 (Source: P.A. 99-703, eff. 7-29-16.)

10 (820 ILCS 154/5)

11 Sec. 5. Definitions. In this Act:

12 "Assisted reproduction" means a method of achieving a
13 pregnancy through an artificial insemination or an embryo
14 transfer and includes gamete and embryo donation. "Assisted
15 reproduction" does not include any pregnancy achieved through
16 sexual intercourse.

17 "Child" means an employee's son or daughter who is a
18 biological, adopted, or foster child, a stepchild, a legal
19 ward, or a child of a person standing in loco parentis.

20 "Covered family member" means an employee's child,
21 stepchild, spouse, domestic partner, sibling, parent,
22 mother-in-law, father-in-law, grandchild, grandparent, or

1 stepparent.

2 "Department" means the Department of Labor.

3 "Domestic partner", used with respect to an unmarried
4 employee, includes:

5 (1) the person recognized as the domestic partner of
6 the employee under any domestic partnership or civil union
7 law of a state or political subdivision of a state; or

8 (2) an unmarried adult person who is in a committed,
9 personal relationship with the employee, who is not a
10 domestic partner as described in paragraph (1) to or in
11 such a relationship with any other person, and who is
12 designated to the employee's employer by such employee as
13 that employee's domestic partner.

14 "Department" means the Department of Labor.

15 "Employee" means eligible employee, as defined by Section
16 101(2) of the federal Family and Medical Leave Act of 1993 (29
17 U.S.C. 2601 et seq.).

18 "Employer" means employer, as defined by Section 101(4) of
19 the federal Family and Medical Leave Act of 1993 (29 U.S.C.
20 2601 et seq.).

21 (Source: P.A. 99-703, eff. 7-29-16.)

22 (820 ILCS 154/10)

23 Sec. 10. Bereavement Leave.

24 (a) All employees shall be entitled to use a maximum of 2
25 weeks (10 work days) of unpaid bereavement leave to:

1 (1) attend the funeral or alternative to a funeral of
2 a covered family member ~~child~~;

3 (2) make arrangements necessitated by the death of the
4 covered family member; ~~child~~; or

5 (3) grieve the death of the covered family member; or
6 ~~child~~.

7 (4) be absent from work due to (i) a miscarriage; (ii)
8 an unsuccessful round of intrauterine insemination or of
9 an assisted reproductive technology procedure; (iii) a
10 failed adoption match or an adoption that is not finalized
11 because it is contested by another party; (iv) a failed
12 surrogacy agreement; (v) a diagnosis that negatively
13 impacts pregnancy or fertility; or (vi) a stillbirth.

14 (b) Bereavement leave under subsection (a) of this Section
15 must be completed within 60 days after the date on which the
16 employee receives notice of the death of the covered family
17 member or the date on which an event listed under paragraph (4)
18 of subsection (a) occurs ~~child~~.

19 (c) An employee shall provide the employer with at least
20 48 hours' advance notice of the employee's intention to take
21 bereavement leave, unless providing such notice is not
22 reasonable and practicable.

23 (d) An employer may, but is not required to, require
24 reasonable documentation. Documentation may include a death
25 certificate, a published obituary, or written verification of
26 death, burial, or memorial services from a mortuary, funeral

1 home, burial society, crematorium, religious institution, or
2 government agency. For leave resulting from an event listed
3 under paragraph (4) of subsection (a), reasonable
4 documentation shall include a form, to be provided by the
5 Department, to be filled out by a health care practitioner who
6 has treated the employee or the employee's spouse or domestic
7 partner, or surrogate, for an event listed under paragraph (4)
8 of subsection (a), or documentation from the adoption or
9 surrogacy organization that the employee worked with related
10 to an event listed under paragraph (4) of subsection (a),
11 certifying that the employee or his or her spouse or domestic
12 partner has experienced an event listed under paragraph (4) of
13 subsection (a). The employer may not require that the employee
14 identify which category of event the leave pertains to as a
15 condition of exercising rights under this Act.

16 (e) In the event of the death of more than one covered
17 family member ~~child~~ in a 12-month period, an employee is
18 entitled to up to a total of 6 weeks of bereavement leave
19 during the 12-month period. This Act does not create a right
20 for an employee to take unpaid leave that exceeds the unpaid
21 leave time allowed under, or is in addition to the unpaid leave
22 time permitted by, the federal Family and Medical Leave Act of
23 1993 (29 U.S.C. 2601 et seq.).

24 (Source: P.A. 99-703, eff. 7-29-16.)