

1 AN ACT concerning human rights.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Human Rights Act is amended by
5 changing Section 2-102 as follows:

6 (775 ILCS 5/2-102) (from Ch. 68, par. 2-102)

7 Sec. 2-102. Civil Rights Violations - Employment. It is
8 a civil rights violation:

9 (A) Employers. For any employer to refuse to hire, to
10 segregate, or to act with respect to recruitment, hiring,
11 promotion, renewal of employment, selection for training or
12 apprenticeship, discharge, discipline, tenure or terms,
13 privileges or conditions of employment on the basis of
14 unlawful discrimination or citizenship status.

15 (A-5) Language. For an employer to impose a restriction
16 that has the effect of prohibiting a language from being
17 spoken by an employee in communications that are unrelated to
18 the employee's duties.

19 For the purposes of this subdivision (A-5), "language"
20 means a person's native tongue, such as Polish, Spanish, or
21 Chinese. "Language" does not include such things as slang,
22 jargon, profanity, or vulgarity.

23 (B) Employment Agency. For any employment agency to fail
24 or refuse to classify properly, accept applications and
25 register for employment referral or apprenticeship referral,
26 refer for employment, or refer for apprenticeship on the
27 basis of unlawful discrimination or citizenship status or to
28 accept from any person any job order, requisition or request
29 for referral of applicants for employment or apprenticeship
30 which makes or has the effect of making unlawful
31 discrimination or discrimination on the basis of citizenship

1 status a condition of referral.

2 (C) Labor Organization. For any labor organization to
3 limit, segregate or classify its membership, or to limit
4 employment opportunities, selection and training for
5 apprenticeship in any trade or craft, or otherwise to take,
6 or fail to take, any action which affects adversely any
7 person's status as an employee or as an applicant for
8 employment or as an apprentice, or as an applicant for
9 apprenticeships, or wages, tenure, hours of employment or
10 apprenticeship conditions on the basis of unlawful
11 discrimination or citizenship status.

12 (D) Sexual Harassment. For any employer, employee,
13 agent of any employer, employment agency or labor
14 organization to engage in sexual harassment; provided, that
15 an employer shall be responsible for sexual harassment of the
16 employer's employees by nonemployees or nonmanagerial and
17 nonsupervisory employees only if the employer becomes aware
18 of the conduct and fails to take reasonable corrective
19 measures.

20 (E) Public Employers. For any public employer to refuse
21 to permit a public employee under its jurisdiction who takes
22 time off from work in order to practice his or her religious
23 beliefs to engage in work, during hours other than such
24 employee's regular working hours, consistent with the
25 operational needs of the employer and in order to compensate
26 for work time lost for such religious reasons. Any employee
27 who elects such deferred work shall be compensated at the
28 wage rate which he or she would have earned during the
29 originally scheduled work period. The employer may require
30 that an employee who plans to take time off from work in
31 order to practice his or her religious beliefs provide the
32 employer with a notice of his or her intention to be absent
33 from work not exceeding 5 days prior to the date of absence.

34 (F) Training and Apprenticeship Programs. For any

1 employer, employment agency or labor organization to
2 discriminate against a person on the basis of age in the
3 selection, referral for or conduct of apprenticeship or
4 training programs.

5 (G) Immigration-Related Practices. For an employer to
6 request for purposes of satisfying the requirements of
7 Section 1324a(b) of Title 8 of the United States Code, as now
8 or hereafter amended, more or different documents than are
9 required under such Section or to refuse to honor documents
10 tendered that on their face reasonably appear to be genuine.

11 It is not a civil rights violation for an employer to
12 take any action that is required by Section 1324a of Title 8
13 of the United States Code, as now or hereafter amended.

14 (Source: P.A. 87-579.)