

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 1. Short title. This Act may be cited as the
5 Whistleblower Act.

6 Section 5. Definitions. As used in this Act:

7 "Employer" means: an individual, sole proprietorship,
8 partnership, firm, corporation, association, and any other
9 entity that has one or more employees in this State, except
10 that "employer" does not include any governmental entity.

11 "Employee" means any individual who is employed on a
12 full-time, part-time, or contractual basis by an employer.

13 Section 10. Certain policies prohibited. An employer may
14 not make, adopt, or enforce any rule, regulation, or policy
15 preventing an employee from disclosing information to a
16 government or law enforcement agency if the employee has
17 reasonable cause to believe that the information discloses a
18 violation of a State or federal law, rule, or regulation.

19 Section 15. Retaliation for certain disclosures
20 prohibited. An employer may not retaliate against an employee
21 for disclosing information to a government or law enforcement
22 agency, where the employee has reasonable cause to believe
23 that the information discloses a violation of a State or
24 federal law, rule, or regulation.

25 Section 20. Retaliation for certain refusals prohibited.
26 An employer may not retaliate against an employee for
27 refusing to participate in an activity that would result in a
28 violation of a State or federal law, rule, or regulation.

1 Section 25. Report by employee of a government agency. A
2 report made by an employee of a government agency to his or
3 her employer is a disclosure of information to a government
4 or law enforcement agency pursuant to Sections 10 and 15.

5 Section 30. Civil penalty. Violation of this Act is a
6 Class A misdemeanor.

7 Section 35. Damages. If an employer takes any action
8 against an employee in violation of Section 15 or 20, the
9 employee may bring a civil action against the employer for
10 all relief necessary to make the employee whole, including
11 but not limited to the following, as appropriate:

- 12 (1) reinstatement with the same seniority status
13 that the employee would have had, but for the violation;
14 (2) back pay, with interest; and
15 (3) compensation for any damages sustained as a
16 result of the violation, including litigation costs,
17 expert witness fees, and reasonable attorney's fees.

18 Section 40. Exception. This Act does not apply to
19 disclosures that would constitute a violation of the
20 attorney-client privilege.