



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3984

Introduced 1/18/2012, by Rep. Jehan A. Gordon

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Veterans Day Act. Provides that an employer shall provide each employee who is a veteran with paid or unpaid time off for Veterans Day, November 11, if the employee would otherwise be required to work on that day, in accordance with the provisions of the Act. Provides that an employer, in complying with the Act, shall have the discretion of providing paid or unpaid time off on Veterans Day. Provides that an employer may only refuse to grant paid or unpaid time off as requested under the Act when providing time off would impact public health or safety or would cause the employer to experience significant economic or operational disruption. Provides that if the employer determines that the employer is unable to provide time off for Veterans Day, the employer shall deny time off only to the minimum number of veteran employees needed by the employer to protect public health or safety or to maintain minimum operational capacity, as applicable. Contains provisions concerning notices and penalties.

LRB097 15612 AEK 60754 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 1. Short title. This Act may be cited as the  
5 Veterans Day Act.

6 Section 3. Definition. As used in this Act, "veteran" means  
7 an Illinois resident who has served as a member of the United  
8 States Armed Forces or the United States Reserve Forces on  
9 active duty or as a member of the Illinois National Guard on  
10 State active duty and who has received an honorable discharge.

11 Section 5. Required time off. An employer shall provide  
12 each employee who is a veteran with paid or unpaid time off for  
13 Veterans Day, November 11, if the employee would otherwise be  
14 required to work on that day, in accordance with the provisions  
15 of this Act.

16 Section 10. Employer discretion. An employer, in complying  
17 with this Act, shall have the discretion of providing paid or  
18 unpaid time off on Veterans Day. An employer may refuse to  
19 grant paid or unpaid time off as requested under this Act only  
20 when providing time off would impact public health or safety or  
21 would cause the employer to experience significant economic or

1 operational disruption. If the employer determines that the  
2 employer is unable to provide time off for Veterans Day in  
3 accordance with this Section, the employer shall deny time off  
4 only to the minimum number of veteran employees needed by the  
5 employer to protect public health or safety or to maintain  
6 minimum operational capacity, as applicable.

7 Section 15. Notice.

8 (a) A veteran shall provide his or her employer with at  
9 least one month's prior written notice of the veteran's intent  
10 to take time off for Veterans Day and shall also provide the  
11 employer with a federal certificate of release or discharge  
12 from active duty, or such similar federal document, for  
13 purposes of determining eligibility for the benefit provided in  
14 this Act.

15 (b) The employer shall, at least 10 days prior to Veterans  
16 Day, notify the veteran as to whether the veteran shall be  
17 provided paid or unpaid time off on Veterans Day.

18 Section 20. Penalty. The Department of Labor may assess a  
19 civil penalty of up to \$500, for each violation, on any  
20 employer who violates this Act. No civil penalty may be imposed  
21 under this Act until 6 months have elapsed since the effective  
22 date of this Act. All proceeds from the collection of any civil  
23 penalty imposed under this Section shall be used by the  
24 Department of Labor for the enforcement of this Act.