



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4509

by Rep. Joe Sosnowski

#### SYNOPSIS AS INTRODUCED:

820 ILCS 115/5

from Ch. 48, par. 39m-5

Amends provisions of the Illinois Wage Payment and Collection Act requiring the payment of the monetary equivalent of all earned vacation time to an employee who resigns or is terminated without having taken all earned vacation time. Provides that, if the employee is terminating employment with the State of Illinois or a political subdivision of the State, the payment shall be made to the employee at least 90 days but not more than 120 days after termination of employment, unless otherwise provided in a collective bargaining agreement.

LRB099 14584 SXM 38717 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Illinois Wage Payment and Collection Act is  
5 amended by changing Section 5 as follows:

6 (820 ILCS 115/5) (from Ch. 48, par. 39m-5)

7 Sec. 5. Every employer shall pay the final compensation of  
8 separated employees in full, at the time of separation, if  
9 possible, but in no case later than the next regularly  
10 scheduled payday for such employee. Where such employee  
11 requests in writing that his final compensation be paid by  
12 check and mailed to him, the employer shall comply with this  
13 request.

14 Unless otherwise provided in a collective bargaining  
15 agreement, whenever a contract of employment or employment  
16 policy provides for paid vacations, and an employee resigns or  
17 is terminated without having taken all vacation time earned in  
18 accordance with such contract of employment or employment  
19 policy, the monetary equivalent of all earned vacation shall be  
20 paid to him or her as part of his or her final compensation at  
21 his or her final rate of pay and no employment contract or  
22 employment policy shall provide for forfeiture of earned  
23 vacation time upon separation. If the employee is terminating

1 employment with the State of Illinois or a political  
2 subdivision thereof, such payment shall be made to him or her  
3 at least 90 days, but not more than 120 days, after termination  
4 of employment, unless otherwise provided in a collective  
5 bargaining agreement.

6 (Source: P.A. 83-199.)