

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 Employee Sick Leave Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Labor.

8 "Personal sick leave benefits" means time accrued and
9 available to an employee to be used as a result of absence from
10 work due to personal illness, injury, or medical appointment,
11 but does not include absences from work for which compensation
12 is provided through an employer's plan.

13 Section 10. Use of leave; limitations.

14 (a) An employee may use personal sick leave benefits
15 provided by the employer for absences due to an illness,
16 injury, or medical appointment of the employee's child, spouse,
17 sibling, parent, mother-in-law, father-in-law, grandchild,
18 grandparent, or stepparent, for reasonable periods of time as
19 the employee's attendance may be necessary, on the same terms
20 upon which the employee is able to use sick leave benefits for
21 the employee's own illness or injury.

22 (b) An employer may limit the use of personal sick leave

1 benefits provided by the employer for absences due to an
2 illness, injury, or medical appointment of the employee's
3 child, spouse, domestic partner, sibling, parent,
4 mother-in-law, father-in-law, grandchild, grandparent, or
5 stepparent to an amount not less than the personal sick leave
6 that would be accrued during 6 months at the employee's then
7 current rate of entitlement.

8 (c) An employer who has a paid time off policy that would
9 otherwise provide benefits as required under subsections (a)
10 and (b) shall not be required to modify such policy.

11 Section 15. Rights and remedies. The rights and remedies
12 specified in this Act are in addition to any other rights or
13 remedies afforded by contract or under other provisions of law.
14 This Act does not prevent an employer from providing greater
15 sick leave benefits than are provided for under this Act. This
16 Act does not extend the maximum period of leave to which an
17 employee is entitled under the federal Family and Medical Leave
18 Act of 1993, regardless of whether the employee receives sick
19 leave compensation during that leave.

20 Section 20. Retaliation prohibited. An employer shall not
21 deny an employee the right to use personal sick leave benefits
22 in accordance with this Act or discharge, threaten to
23 discharge, demote, suspend, or in any manner discriminate
24 against an employee for using personal sick leave benefits,

1 attempting to exercise the right to use personal sick leave
2 benefits, filing a complaint with the Illinois Department of
3 Labor or alleging a violation of this Act, cooperating in an
4 investigation or prosecution of an alleged violation of this
5 Act, or opposing any policy or practice or act that is
6 prohibited by this Act.

7 Section 25. Rules. The Department is prohibited from
8 adopting any rules in contravention of this Act.

9 Section 99. Effective date. This Act takes effect on
10 January 1, 2017.