

1 AN ACT concerning regulation.

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

4 Section 5. The Employee Sick Leave Act is amended by
5 changing Sections 5, 10, 20, and 25 and by adding Section 21 as
6 follows:

7 (820 ILCS 191/5)

8 Sec. 5. Definitions. In this Act:

9 "Department" means the Department of Labor.

10 "Personal sick leave benefits" means any paid or unpaid
11 time accrued and available to an employee as provided through
12 an employment benefit plan or paid time off policy to be used
13 as a result of absence from work due to personal illness,
14 injury, or medical appointment. An employment benefit plan or
15 paid time off policy does not include long term disability,
16 short term disability, an insurance policy, or other comparable
17 benefit plan or policy. , but does not include absences from
18 work for which compensation is provided through an employer's
19 plan.

20 (Source: P.A. 99-841, eff. 1-1-17.)

21 (820 ILCS 191/10)

22 Sec. 10. Use of leave; limitations.

1 (a) An employee may use personal sick leave benefits
2 provided by the employer for absences due to an illness,
3 injury, or medical appointment of the employee's child,
4 stepchild, spouse, domestic partner, sibling, parent,
5 mother-in-law, father-in-law, grandchild, grandparent, or
6 stepparent, ~~for reasonable periods of time as the employee's~~
7 ~~attendance may be necessary,~~ on the same terms upon which the
8 employee is able to use personal sick leave benefits for the
9 employee's own illness or injury. An employer may request
10 written verification of the employee's absence from a health
11 care professional if such verification is required under the
12 employer's employment benefit plan or paid time off policy.

13 (b) An employer may limit the use of personal sick leave
14 benefits provided by the employer for absences due to an
15 illness, injury, or medical appointment of the employee's
16 child, stepchild, spouse, domestic partner, sibling, parent,
17 mother-in-law, father-in-law, grandchild, grandparent, or
18 stepparent to an amount not less than the personal sick leave
19 that would be earned or accrued during 6 months at the
20 employee's then current rate of entitlement. For employers who
21 base personal sick leave benefits on an employee's years of
22 service instead of annual or monthly accrual, such employer may
23 limit the amount of sick leave to be used under this Act to
24 half of the employee's maximum annual grant.

25 (c) An employer who provides personal sick leave benefits
26 or has a paid time off policy that would otherwise provide

1 benefits as required under subsections (a) and (b) shall not be
2 required to modify such benefits ~~policy~~.

3 (Source: P.A. 99-841, eff. 1-1-17.)

4 (820 ILCS 191/20)

5 Sec. 20. Retaliation prohibited. An employer shall not
6 deny an employee the right to use personal sick leave benefits
7 in accordance with this Act or discharge, threaten to
8 discharge, demote, suspend, or in any manner discriminate
9 against an employee for using personal sick leave benefits,
10 attempting to exercise the right to use personal sick leave
11 benefits, filing a complaint with the Illinois Department of
12 Labor or alleging a violation of this Act, cooperating in an
13 investigation or prosecution of an alleged violation of this
14 Act, or opposing any policy or practice or act that is
15 prohibited by this Act. Nothing in this Section prohibits an
16 employer from applying the terms and conditions set forth in
17 the employment benefit plan or paid time off policy applicable
18 to personal sick leave benefits.

19 (Source: P.A. 99-841, eff. 1-1-17.)

20 (820 ILCS 191/21 new)

21 Sec. 21. Employments exempted from coverage.

22 (a) This Act does not apply to an employee of an employer
23 subject to the provisions of Title II of the Railway Labor Act
24 (45 U.S.C. 181 et seq.) or to an employer or employee as

1 defined in either the federal Railroad Unemployment Insurance
2 Act (45 U.S.C. 351 et seq.) or the Federal Employers' Liability
3 Act, United States Code, Title 45, Sections 51 through 60, or
4 other comparable federal law.

5 (b) Nothing in this Act shall be construed to invalidate,
6 diminish, or otherwise interfere with any collective
7 bargaining agreement nor shall it be construed to invalidate,
8 diminish, or otherwise interfere with any party's power to
9 collectively bargain such an agreement.

10 (c) This Act does not apply to any other employment
11 expressly exempted under rules adopted by the Department as
12 necessary to implement this Act in accordance with applicable
13 State and federal law.

14 (820 ILCS 191/25)

15 Sec. 25. Rules. The Department may adopt rules to implement
16 this Act ~~is prohibited from adopting any rules in contravention~~
17 ~~of this Act.~~

18 (Source: P.A. 99-841, eff. 1-1-17.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.