



Rep. Peter Breen

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LRB099 20538 KTG 52255 a

1 AMENDMENT TO SENATE BILL 2799

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2799, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

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

8 (820 ILCS 191/5)

9 Sec. 5. Definitions. In this Act:

10 "Department" means the Department of Labor.

11 "Personal sick leave benefits" means any paid or unpaid  
12 time accrued and available to an employee as provided through  
13 an employment benefit plan or paid time off policy to be used  
14 as a result of absence from work due to personal illness,  
15 injury, or medical appointment. An employment benefit plan or  
16 paid time off policy does not include long term disability,

1 short term disability, an insurance policy, or other comparable  
2 benefit plan or policy. ~~, but does not include absences from~~  
3 ~~work for which compensation is provided through an employer's~~  
4 ~~plan.~~

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

6 (820 ILCS 191/10)

7 Sec. 10. Use of leave; limitations.

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

20 (b) An employer may limit the use of personal sick leave  
21 benefits provided by the employer for absences due to an  
22 illness, injury, or medical appointment of the employee's  
23 child, stepchild, spouse, domestic partner, sibling, parent,  
24 mother-in-law, father-in-law, grandchild, grandparent, or  
25 stepparent to an amount not less than the personal sick leave

1 that would be earned or accrued during 6 months at the  
2 employee's then current rate of entitlement. For employers who  
3 base personal sick leave benefits on an employee's years of  
4 service instead of annual or monthly accrual, such employer may  
5 limit the amount of sick leave to be used under this Act to  
6 half of the employee's maximum annual grant.

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

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

12 (820 ILCS 191/20)

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

1 to personal sick leave benefits.

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

3 (820 ILCS 191/21 new)

4 Sec. 21. Employments exempted from coverage.

5 (a) This Act does not apply to an employee of an employer  
6 subject to the provisions of Title II of the Railway Labor Act  
7 (45 U.S.C. 181 et seq.) or to an employer or employee as  
8 defined in either the federal Railroad Unemployment Insurance  
9 Act (45 U.S.C. 351 et seq) or the Federal Employers' Liability  
10 Act, United States Code, Title 45, Sections 51 through 60, or  
11 other comparable federal law.

12 (b) Nothing in this Act shall be construed to invalidate,  
13 diminish, or otherwise interfere with any collective  
14 bargaining agreement nor shall it be construed to invalidate,  
15 diminish, or otherwise interfere with any party's power to  
16 collectively bargain such an agreement.

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

21 (820 ILCS 191/25)

22 Sec. 25. Rules. The Department may adopt rules to implement  
23 this Act ~~is prohibited from adopting any rules in contravention~~  
24 of this Act.

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

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.".