

**SB3257**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**SB3257**

Introduced 2/19/2016, by Sen. Wm. Sam McCann

**SYNOPSIS AS INTRODUCED:**

820 ILCS 151/15

Amends the Family Military Leave Act. Provides that when a employee exercises rights under the Act, the employee and employer may negotiate for all or part of the employee's benefits to be at the employer's expense, rather than negotiate for the employer to maintain those benefits at the employer's expense.

LRB099 19973 JLS 44372 b

**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 Family Military Leave Act is amended by  
5 changing Section 15 as follows:

6 (820 ILCS 151/15)

7 Sec. 15. Employee benefits protection.

8 (a) Any employee who exercises the right to family military  
9 leave under this Act, upon expiration of the leave, shall be  
10 entitled to be restored by the employer to the position held by  
11 the employee when the leave commenced or to a position with  
12 equivalent seniority status, employee benefits, pay and other  
13 terms and conditions of employment. This Section does not apply  
14 if the employer proves that the employee was not restored as  
15 provided in this Section because of conditions unrelated to the  
16 employee's exercise of rights under this Act.

17 (b) During any family military leave taken under this Act,  
18 the employer shall make it possible for employees to continue  
19 their benefits at the employee's expense. The employer and  
20 employee may negotiate for the employer to maintain benefits at  
21 all or part of the employer's expense for the duration of the  
22 leave.

23 (Source: P.A. 94-589, eff. 8-15-05.)