



Sen. Cristina Castro

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10100SB1466sam002

LRB101 08420 JLS 57891 a

1 AMENDMENT TO SENATE BILL 1466

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1466 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Equal Pay Act of 2003 is amended by  
5 changing Section 10 as follows:

6 (820 ILCS 112/10)

7 Sec. 10. Prohibited acts.

8 (a) No employer may discriminate between employees on the  
9 basis of race, color, religion, sex, national origin, ancestry,  
10 age, marital status, physical or mental disability, military  
11 status, unfavorable discharge from military service, order of  
12 protection status, sexual orientation, or pregnancy by paying  
13 wages to an employee at a rate less than the rate at which the  
14 employer pays wages to another employee who is not a member of  
15 a protected class that is based upon race, color, religion,  
16 sex, national origin, ancestry, age, marital status, physical

1 or mental disability, military status, unfavorable discharge  
2 from military service, order of protection status, sexual  
3 orientation, or pregnancy ~~of the opposite sex~~ for the same or  
4 substantially similar work on jobs, the performance of which  
5 requires equal skill, effort, and responsibility, and which are  
6 performed under similar working conditions, except where the  
7 payment is made under:

8 (1) a seniority system;

9 (2) a merit system;

10 (3) a system that measures earnings by quantity or  
11 quality of production; or

12 (4) a differential based on any other factor other  
13 than: (i) race, color, religion, sex, national origin,  
14 ancestry, age, marital status, physical or mental  
15 disability, military status, unfavorable discharge from  
16 military service, order of protection status, sexual  
17 orientation, or pregnancy or (ii) a factor that would  
18 constitute unlawful discrimination under the Illinois  
19 Human Rights Act.

20 ~~No employer may discriminate between employees by paying~~  
21 ~~wages to an African-American employee at a rate less than the~~  
22 ~~rate at which the employer pays wages to another employee who~~  
23 ~~is not African-American for the same or substantially similar~~  
24 ~~work on jobs the performance of which requires equal skill,~~  
25 ~~effort, and responsibility, and which are performed under~~  
26 ~~similar working conditions, except where the payment is made~~

1 ~~under:~~

2 ~~(1) a seniority system;~~

3 ~~(2) a merit system;~~

4 ~~(3) a system that measures earnings by quantity or~~  
5 ~~quality of production; or~~

6 ~~(4) a differential based on any other factor other~~  
7 ~~than: (i) race or (ii) a factor that would constitute~~  
8 ~~unlawful discrimination under the Illinois Human Rights~~  
9 ~~Act.~~

10 An employer who is paying wages in violation of this Act  
11 may not, to comply with this Act, reduce the wages of any other  
12 employee.

13 Nothing in this Act may be construed to require an employer  
14 to pay, to any employee at a workplace in a particular county,  
15 wages that are equal to the wages paid by that employer at a  
16 workplace in another county to employees in jobs the  
17 performance of which requires equal skill, effort, and  
18 responsibility, and which are performed under similar working  
19 conditions.

20 (b) It is unlawful for any employer to interfere with,  
21 restrain, or deny the exercise of or the attempt to exercise  
22 any right provided under this Act. It is unlawful for any  
23 employer to discharge or in any other manner discriminate  
24 against any individual for inquiring about, disclosing,  
25 comparing, or otherwise discussing the employee's wages or the  
26 wages of any other employee, or aiding or encouraging any

1 person to exercise his or her rights under this Act.

2 (c) It is unlawful for any person to discharge or in any  
3 other manner discriminate against any individual because the  
4 individual:

5 (1) has filed any charge or has instituted or caused to  
6 be instituted any proceeding under or related to this Act;

7 (2) has given, or is about to give, any information in  
8 connection with any inquiry or proceeding relating to any  
9 right provided under this Act; or

10 (3) has testified, or is about to testify, in any  
11 inquiry or proceeding relating to any right provided under  
12 this Act.

13 (Source: P.A. 100-1140, eff. 1-1-19.)".