



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1362

Introduced 1/28/2025, by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

330 ILCS 61/1-15

Amends the Service Member Employment and Reemployment Rights Act. In a provision concerning differential compensation, changes the definition of "work days" to mean the actual number of shifts (rather than days) the employee would have worked during the period of military leave but for the service member's military obligation. Further provides that work days are tabulated without regard for the number of hours in a shift (rather than work day), regardless if the shift extends into the next day. Removes a provision providing that work hours that extend into the next calendar day count as 2 work days.

LRB104 04440 KTG 14467 b

1 AN ACT concerning veterans.

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

4 Section 5. The Service Member Employment and Reemployment
5 Rights Act is amended by changing Section 1-15 as follows:

6 (330 ILCS 61/1-15)

7 Sec. 1-15. Differential compensation.

8 (a) As used in this Section, "work days" are the actual
9 number of shifts ~~days~~ the employee would have worked during
10 the period of military leave but for the service member's
11 military obligation. "Work days" are tabulated without regard
12 for the number of hours in a shift, regardless if the shift
13 extends into the next day. ~~work day. Work hours that extend~~
14 ~~into the next calendar day count as 2 work days.~~

15 (b) Differential compensation under this Act is calculated
16 on a daily basis and only applies to days in which the employee
17 would have otherwise been scheduled or required to work as a
18 public employee. Differential compensation shall be paid to
19 all forms of active service except active service without pay.
20 Differential compensation is calculated as follows:

21 (1) To calculate differential compensation, subtract
22 the daily rate of compensation for military service from
23 the daily rate of compensation as a public employee.

1 (2) To calculate the daily rate of compensation as a
2 public employee, divide the employee's regular
3 compensation as a public employee during the pay period by
4 the number of work days in the pay period.

5 (3) To calculate the daily rate of compensation for
6 military service, divide the employee's base pay for the
7 applicable military service by the number of calendar days
8 in the month the service member was paid by the military.
9 For purposes of inactive duty, the daily rate of
10 compensation for military service is calculated in
11 accordance with the applicable drill pay chart issued by
12 Defense Finance and Accounting Services.

13 (Source: P.A. 100-1101, eff. 1-1-19.)