



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB2808

Introduced 2/6/2025, by Rep. Lawrence "Larry" Walsh, Jr.

#### SYNOPSIS AS INTRODUCED:

820 ILCS 192/10

Amends the Paid Leave for All Workers Act. Provides that the definition of "employee" does not include an employee who is engaged in the operation of a vessel that is documented by the United States under a specified federal law. Effective immediately.

LRB104 12082 SPS 22179 b

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 Paid Leave for All Workers Act is amended by  
5 changing Section 10 as follows:

6 (820 ILCS 192/10)

7 Sec. 10. Definitions. As used in this Act:

8 "Construction industry" means any constructing, altering,  
9 reconstructing, repairing, rehabilitating, refinishing,  
10 refurbishing, remodeling, remediating, renovating, custom  
11 fabricating, maintenance, landscaping, improving, wrecking,  
12 painting, decorating, demolishing, or adding to or subtracting  
13 from any building, structure, highway, roadway, street,  
14 bridge, alley, sewer, ditch, sewage disposal plant,  
15 waterworks, parking facility, railroad, excavation or other  
16 structure, project, development, real property, or  
17 improvement, or to do any part thereof, whether or not the  
18 performance of the work herein described involves the addition  
19 to or fabrication into, any structure, project, development,  
20 real property, or improvement herein described of any material  
21 or article of merchandise.

22 "Construction industry" also includes moving construction  
23 related materials on the job site or to or from the job site,

1 snow plowing, snow removal, and refuse collection.

2 "Department" means the Illinois Department of Labor.

3 "Domestic work" and "domestic worker" have the same  
4 meanings as defined in Section 10 of the Domestic Workers'  
5 Bill of Rights Act, except that "domestic worker" also  
6 includes independent contractors, sole proprietors, and  
7 partnerships.

8 "Employee" has the same application and meaning as that  
9 provided in Sections 1 and 2 of the Illinois Wage Payment and  
10 Collection Act. "Employee" also includes all domestic workers,  
11 and, for the purposes of this Act, domestic workers shall not  
12 be excluded as employees under the provisions of item (1),  
13 (2), or (3) of Section 2 of the Illinois Wage Payment and  
14 Collection Act. "Employee" does not include:

15 (1) an employee as defined in the federal Railroad  
16 Unemployment Insurance Act (45 U.S.C. 351 et seq.) or the  
17 Railway Labor Act;

18 (2) a student enrolled in and regularly attending  
19 classes in a college or university that is also the  
20 student's employer, and who is employed on a temporary  
21 basis at less than full time at the college or university,  
22 but this exclusion applies only to work performed for that  
23 college or university; ~~or~~

24 (3) a short-term employee who is employed by an  
25 institution of higher education for less than 2  
26 consecutive calendar quarters during a calendar year and

1       who does not have a reasonable expectation that they will  
2       be rehired by the same employer of the same service in a  
3       subsequent calendar year; or -

4       (4) an employee who is engaged in the operation of a  
5       vessel that is documented by the United States under 46  
6       U.S.C. 12105.

7       "Employer" has the same application and meaning as that  
8       provided in Sections 1 and 2 of the Illinois Wage Payment and  
9       Collection Act, except that for purposes of this Act,  
10      "employer" also means the State and units of local government,  
11      any political subdivision of the State or units of local  
12      government, or any State or local government agency.

13      "Employer" does not include school districts organized  
14      under the School Code or park districts organized under the  
15      Park District Code.

16      "Writing" or "written" means a printed or printable  
17      communication in physical or electronic format, including a  
18      communication that is transmitted through electronic mail,  
19      text message, or a computer system or is otherwise sent or  
20      stored electronically.

21      (Source: P.A. 102-1143, eff. 1-1-24.)

22      Section 99. Effective date. This Act takes effect upon  
23      becoming law.