

1 AN ACT concerning courts.

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

4 Section 5. The Jury Act is amended by changing Section 4.1  
5 as follows:

6 (705 ILCS 305/4.1) (from Ch. 78, par. 4.1)

7 Sec. 4.1. Jury duty; notice to employer; right to time  
8 off.

9 (a) Any person who is not legally disqualified to serve on  
10 juries, and has been duly summoned for jury duty for either  
11 petit or grand jury service, shall be given time off from  
12 employment to serve upon the jury for which such employee is  
13 summoned, regardless of the employment shift such employee is  
14 assigned to at the time of service of such summons. An employee  
15 shall give his employer reasonable notice of required jury  
16 service. An employer may not deny an employee time off for jury  
17 duty because such employee is then assigned to work a night  
18 shift of employment, that is, an employer cannot require a  
19 night shift worker to work while such employee is doing jury  
20 duty in the daytime.

21 (b) No employer shall discharge, threaten to discharge,  
22 intimidate or coerce any employee by reason of the employee's  
23 jury service, or the attendance or scheduled attendance in

1 connection with such service, in any court of this State.

2 (c) If an employee gives reasonable notice of required  
3 jury service, any employer who violates the provisions of this  
4 Section:

5 (1) may be charged with contempt of court. In such an  
6 event, the State's Attorney shall file a petition for  
7 civil contempt, criminal contempt, or both, against the  
8 employer to be prosecuted by the State's Attorney; and

9 (2) shall be liable for damages for any loss of wages  
10 or other benefits suffered by an employee by reason of the  
11 violation; and

12 (3) may be enjoined from further violations of this  
13 Section and ordered to reinstate any employee discharged  
14 by reason of jury service.

15 As used in this Section, "reasonable notice of required  
16 jury service" means that the employee summoned for jury duty  
17 must deliver to the employer a copy of the summons within 10  
18 days of the date of issuance of the summons to the employee.

19 (d) Any individual who is reinstated to a position of  
20 employment in accordance with this Section shall be considered  
21 as having been on furlough or leave of absence during his  
22 period of jury service, shall be reinstated to his position of  
23 employment without loss of seniority, and shall be entitled to  
24 participate in insurance or other benefits offered by the  
25 employer under established rules and practices relating to  
26 employees on furlough or leave of absence in effect with the

1 employer at the time the individual entered upon jury service.

2 (e) In any action or proceeding under this Section, the  
3 court may award a prevailing employee who brings the action by  
4 retained counsel a reasonable attorney's fee.

5 (f) Any right or remedy provided in this Section is in  
6 addition to any right or remedy otherwise provided by law to an  
7 employee.

8 (g) Employers shall be required to compensate an employee  
9 at their regular rate of pay for time serving on jury duty ~~No~~  
10 ~~employer shall be obligated to compensate an employee for time~~  
11 ~~taken off for jury duty.~~ The requirements of this subsection  
12 do not apply to employers with 25 or fewer employees.

13 (h) The official responsible for issuing the summons may  
14 advise the juror of his rights under this Act by printed insert  
15 with the summons or on the summons itself.

16 (Source: P.A. 86-1395; 87-616.)

17 Section 10. The Jury Commission Act is amended by changing  
18 Section 10.1 as follows:

19 (705 ILCS 310/10.1) (from Ch. 78, par. 33.1)

20 Sec. 10.1. Jury duty, notice to employer, right to time  
21 off. (a) Any person who is not legally disqualified to serve on  
22 juries, and has been duly summoned for jury duty for either  
23 petit or grand jury service, shall be given time off from  
24 employment to serve upon the jury for which such employee is

1 summoned, regardless of the employment shift such employee is  
2 assigned to at the time of service of such summons. An employee  
3 shall give his employer reasonable notice of required jury  
4 service. An employer may not deny an employee time off for jury  
5 duty because such employee is then assigned to work a night  
6 shift of employment, that is, an employer cannot require a  
7 night shift worker to work while such employee is doing jury  
8 duty in the daytime.

9 (b) No employer shall discharge, threaten to discharge,  
10 intimidate or coerce any employee by reason of the employee's  
11 jury service, or the attendance or scheduled attendance in  
12 connection with such service, in any court of this State.

13 (c) If an employee gives reasonable notice of required  
14 jury service, any employer who violates the provisions of this  
15 Section:

16 (1) may be charged with contempt of court. In such an  
17 event, the State's Attorney shall file a petition for  
18 civil contempt, criminal contempt, or both, against the  
19 employer to be prosecuted by the State's Attorney; and

20 (2) shall be liable for damages for any loss of wages  
21 or other benefits suffered by an employee by reason of the  
22 violation; and

23 (3) may be enjoined from further violations of this  
24 Section and ordered to reinstate any employee discharged  
25 by reason of jury service.

26 As used in this Section, "reasonable notice of required

1 jury service" means that the employee summoned for jury duty  
2 must deliver to the employer a copy of the summons within 10  
3 days of the date of issuance of the summons to the employee.

4 (d) Any individual who is reinstated to a position of  
5 employment in accordance with this Section shall be considered  
6 as having been on furlough or leave of absence during his  
7 period of jury service, shall be reinstated to his position of  
8 employment without loss of seniority, and shall be entitled to  
9 participate in insurance or other benefits offered by the  
10 employer under established rules and practices relating to  
11 employees on furlough or leave of absence in effect with the  
12 employer at the time the individual entered upon jury service.

13 (e) In any action or proceeding under this Section, the  
14 court may award a prevailing employee who brings the action by  
15 retained counsel a reasonable attorney's fee.

16 (f) Any right or remedy provided in this Section is in  
17 addition to any right or remedy otherwise provided by law to an  
18 employee.

19 (g) Employers are required to compensate employees at the  
20 employee's regular rate of pay for time that the employee  
21 served on jury duty ~~No employer shall be obligated to~~  
22 ~~compensate an employee for time taken off for jury duty.~~ The  
23 requirements of this subsection do not apply to employers with  
24 25 or fewer employees.

25 (h) The official responsible for issuing the summons may  
26 advise the juror of his rights under this Act by printed insert

1 with the summons or on the summons itself.

2 (Source: P.A. 86-1395; 87-616.)