

# SB2967



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2967

Introduced 1/27/2026, by Sen. Adriane Johnson

### SYNOPSIS AS INTRODUCED:

New Act

Creates the Menstrual Health Workplace Equity Act. Provides that an employee who experiences a menstrual health condition may use up to 40 hours of paid leave per year that the employee is entitled to under the Paid Leave for All Workers Act for menstrual health reasons. Provides that, if the paid leave the employee is entitled to is insufficient to cover the employee's needs, the employee may request an additional 40 hours of paid menstrual leave per year or request a hybrid work option. Sets forth provisions concerning employer responsibilities and enforcement by the Department of Labor. Effective immediately.

LRB104 17106 SPS 30525 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 1. Short title. This Act may be cited as the  
5 Menstrual Health Workplace Equity Act.

6 Section 5. Findings and purpose.

7 (a) The General Assembly finds and declares:

8 (1) Menstruation is a natural biological process, but  
9 for some people, it can occur with severe symptoms that  
10 are debilitating. The employment laws of this State do not  
11 adequately address this issue.

12 (2) In order to ensure menstrual equity in the  
13 workplace, it is important to recognize menstrual  
14 complications as a qualifying condition for leave.

15 (3) The debilitating pain that women experience during  
16 menstruation is similar to an illness.

17 (4) This Act represents an important shift in how  
18 workplaces and institutions view women's health, and it is  
19 critical to breaking taboos and moving toward a more  
20 inclusive and balanced workplace.

21 (b) The purpose of this Act is to improve employee  
22 well-being, create a more inclusive workplace, and reduce  
23 stigma, leveraging the progressive stance of this State toward

1 paid leave to specifically address menstrual health.

2 Section 10. Definitions. As used in this Act:

3 "Department" means the Department of Labor.

4 "Employee" has the meaning ascribed to that term in  
5 Section 2 of the Illinois Wage Payment and Collection Act and  
6 also includes any employee of the State of Illinois.

7 "Employer" has the meaning ascribed to that term in  
8 Section 2 of the Illinois Wage Payment and Collection Act and  
9 also includes the State of Illinois.

10 "Hybrid work option" means allowing an employee to work  
11 remotely.

12 "Menstrual health condition" means symptoms caused by  
13 menstruation, endometriosis, polycystic ovary syndrome, or  
14 menopause.

15 Section 15. Menstrual health leave.

16 (a) An employee who experiences a menstrual health  
17 condition may use up to 40 hours of paid leave per year that  
18 the employee is entitled to under the Paid Leave for All  
19 Workers Act for menstrual health reasons. If the paid leave  
20 the employee is entitled to is insufficient to cover the  
21 employee's needs, the employee may request an additional 40  
22 hours of paid menstrual leave per year or request a hybrid work  
23 option.

24 (b) An employer that provides the minimum number of hours

1 of paid leave for menstrual health reasons to an employee is  
2 not required to carry over that paid leave from one 12-month  
3 period to a different 12-month period.

4 (c) An employer shall not require that an employee provide  
5 any specific reasons beyond menstrual health for a request for  
6 leave made under this Section.

7 (d) An employer may request up to 24 hours of notice by an  
8 employee for foreseeable requests for leave made under this  
9 Act. However, an employer shall allow for short-notice  
10 requests for leave if an employee has an acute need for the  
11 leave.

12 (e) An employee who makes a request for leave under this  
13 Section must have a documented history of a debilitating  
14 menstrual health condition. An employer shall not require an  
15 employee to provide a doctor's note for requests for leave  
16 under this Section that are less than 3 days in duration. An  
17 employer shall develop a policy that allows for absences that  
18 exceed 3 days with a focus on an employee's fitness to perform  
19 job-related tasks.

20 Section 20. Employer responsibilities.

21 (a) An employer shall treat health information associated  
22 with requests for leave made under Section 15 confidentially.

23 (b) An employer shall not take any adverse action against  
24 an employee because the employee exercises rights or attempts  
25 to exercise rights under this Act.

1           (c) An employer shall post and keep posted, in a  
2 conspicuous place on the premises of the employer where  
3 notices to employees are customarily posted, a notice  
4 summarizing the requirements of this Act.

5           Section 25. Department responsibilities.

6           (a) The Department shall administer and enforce this Act  
7 and adopt rules under the Illinois Administrative Procedure  
8 Act for the purpose of this Act. The Department shall have the  
9 powers and the parties shall have the rights provided in the  
10 Illinois Administrative Procedure Act for contested cases. The  
11 Department shall have the power to conduct investigations in  
12 connection with the administration and enforcement of this  
13 Act, including the power to conduct depositions and discovery  
14 and to issue subpoenas. If the Department finds cause to  
15 believe that this Act has been violated, the Department shall  
16 notify the parties in writing and the matter shall be referred  
17 to an administrative law judge to schedule a formal hearing in  
18 accordance with hearing procedures established by rule.

19           (b) The Department is authorized to impose civil penalties  
20 prescribed in Section 30 in administrative proceedings that  
21 comply with the Illinois Administrative Procedure Act and to  
22 supervise the payment of the unpaid wages and damages owing to  
23 the employee or employees under this Act. The Department may  
24 bring any legal action necessary to recover the amount of  
25 unpaid wages, damages, and penalties, and the employer shall

1 be required to pay the costs. Any sums recovered by the  
2 Department on behalf of an employee under this Act shall be  
3 paid to the employee or employees affected.

4 (c) The Attorney General may bring an action to enforce  
5 the collection of any civil penalty imposed under this Act.

6 Section 30. Enforcement.

7 (a) An employee who believes the employee's rights under  
8 this Act or any rule adopted under this Act have been violated  
9 may, within 60 days after the date of the last event  
10 constituting the alleged violation for which the action is  
11 brought, file a complaint with the Department or file a civil  
12 action.

13 (b) An employer that violates any provision of this Act or  
14 any rule adopted under this Act is subject to a civil penalty  
15 for each employee affected not to exceed \$5,000. Any  
16 continuous period of time during which time the employer is  
17 found to have violated the employee's rights under this Act,  
18 shall constitute a single violation.

19 (c) A civil action may be brought in the circuit court by  
20 an employee to enforce this Act. The circuit court may enjoin  
21 any act or practice that violates or may violate this Act and  
22 may order any other equitable relief that is necessary and  
23 appropriate to redress the violation or to enforce the Act.

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.