

SB3052



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3052

Introduced 1/28/2026, by Sen. Lakesia Collins

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.1038 new

Creates the Secure Jobs Act. Establishes a framework for employee discipline and discharge. Prohibits the unjust discharge of an employee. Contains provisions concerning factors to be considered when determining whether an employee has been discharged for just cause and the conditions that allow for a discharge based on bona fide economic reasons. Requires employers to use progressive discipline measures. Limits the use of electronic monitoring. Provides for severance pay. Directs the Department of Labor to adopt rules and administer the Act. Provides statutory remedies for wrongfully discharged employees and authorizes the recovery of damages. Creates the Wrongful Discharge Enforcement Fund as a special fund in the State treasury. Effective January 1, 2027.

LRB104 17908 SPS 31344 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 Secure
5 Jobs Act.

6 Section 5. Definitions. In this Act:

7 "Benefits" means the cash value of any employer-paid
8 vacation leave, sick leave, medical insurance plan, disability
9 insurance plan, life insurance plan, annuity, and pension
10 benefit plan in effect on the date of discharge.

11 "Constructive discharge" means the voluntary termination
12 of employment by an employee because of a situation created by
13 an act or omission of the employer that an objective,
14 reasonable person would find so intolerable that voluntary
15 termination is the only reasonable alternative.

16 "Day or temporary laborer", "day and temporary labor
17 services agency", and "third party client" have the meaning
18 ascribed to those terms under Section 5 of the Day and
19 Temporary Labor Services Act.

20 "Department" means the Department of Labor.

21 "Discharge" means any cessation of employment, including
22 constructive discharge, indefinite suspension, layoff, or
23 reduction in hours.

1 "Egregious misconduct" means deliberate or grossly
2 negligent conduct that:

3 (1) endangers the safety or well-being of the
4 individual, co-workers, customers, or other persons,
5 including discrimination against, harassment of, or
6 causing physical or emotional harm to co-workers,
7 customers, or other persons;

8 (2) causes serious damage to the employer's or
9 customers' property or business interests, including, but
10 not limited to, theft; or

11 (3) involves grossly inappropriate behavior, such as
12 working under the influence of intoxicants or controlled
13 substances.

14 "Electronic monitoring" means the collection of
15 information concerning worker activities, communications,
16 actions, biometric information, as that term is defined in
17 Section 10 of the Biometric Information Privacy Act, or
18 behaviors by electronic means including, but not limited to,
19 video or audio surveillance, electronic work pace tracking,
20 and other means.

21 "Employ" means to suffer or permit to work.

22 "Employee" has the meaning given that term in Section 2 of
23 the Illinois Wage Payment and Collection Act, and also
24 includes a "day or temporary laborer" but does not include a
25 casual employee who performs work in or around a private home
26 that is irregular in nature. A person may be an employee of 2

1 or more employers at the same time. "Employee" does not
2 include supervisors or persons who hold elective office.

3 "Employer" has the meaning given that term in Section 2 of
4 the Illinois Wage Payment and Collection Act, and also
5 includes a "third party client" and a "day and temporary labor
6 services agency". More than one entity may be the employer of
7 an employee, including in circumstances where one entity
8 controls, is controlled by, or is under common control with
9 another employer, or where one entity exerts control over the
10 operations of another employer. An employer-employee
11 relationship is presumed to exist when an individual performs
12 labor or services for an employer. The party asserting that an
13 individual is not an employee must establish by a
14 preponderance of the evidence that the individual is an
15 independent contractor.

16 "Just cause" means:

- 17 (1) an employee's failure to satisfactorily perform
18 his or her job duties or to comply with employer policies;
19 (2) an employee's egregious misconduct; or
20 (3) bona fide economic reasons.

21 "Progressive discipline" means an employer's disciplinary
22 system that provides a graduated range of reasonable responses
23 to an employee's failure to satisfactorily perform his or her
24 job duties or comply with employer policies, with the
25 disciplinary measures ranging from mild to severe, depending
26 on the frequency and degree of the failure, and the employee

1 being afforded a reasonable period of time to address
2 concerns.

3 "Reduction in hours" means a reduction in an employee's
4 hours of work totaling at least 15% of the employee's average
5 weekly work hours.

6 "Relator" means a current or former employee, contractor,
7 subcontractor, or employee of a contractor or subcontractor of
8 an alleged violator of this Act, regardless of whether that
9 person has received full or partial relief, who seeks relief
10 through a public enforcement action brought under this Act.

11 "Representative organization" means a nonprofit or labor
12 organization selected by a relator to initiate a public
13 enforcement action on the relator's behalf.

14 "Severance pay" has the meaning of that term as described
15 in Section 50.

16 "Short-term position" means employment pursuant to a
17 written contract that specifies that the position is to end
18 after a specified period of time, not to exceed 6 months, where
19 the employer can show that the work or need in question is
20 expected to end, such as in the case of a seasonal job or a job
21 to perform a specific project.

22 Section 10. Prohibition against discharge without just
23 cause.

24 (a) An employer shall not discharge an employee without
25 just cause. Just cause may not be based on off-duty conduct

1 unless there is a demonstrable and material nexus between the
2 conduct and the employee's job performance or the employer's
3 legitimate business interests.

4 (b) The employer shall within 3 days provide a written
5 explanation to any discharged employee of the specific reasons
6 for the discharge. In determining whether an employer had just
7 cause for discharge, a fact finder may not consider any
8 reasons not included in the written explanation. If an
9 employer fails to provide a written explanation to a
10 discharged employee, the discharge shall not be deemed to be
11 based on just cause. All information and judgments that the
12 employer considered in making the determination shall be made
13 available to the employee or his or her representative.

14 (c) The employer shall bear the burden of proving just
15 cause including, if applicable, that the employer followed
16 progressive discipline, by a preponderance of non-hearsay
17 evidence in any proceeding brought under this Act.

18 (d) Any business that employs 50 or fewer employees may
19 maintain a 90-day employment probationary period during which
20 time the employment may be terminated at the will of either the
21 employer or the employee for any reason or for no reason with
22 notice given to the other party.

23 Section 15. Factors to be considered. In determining
24 whether an employee has been discharged for just cause for
25 failure to satisfactorily perform job duties or for failure to

1 comply with employer policies, the fact finder shall consider,
2 in addition to any other relevant factors, whether:

3 (1) the employee knew or should have known of his or
4 her job duties or of the employer's policy;

5 (2) the employer provided relevant and adequate
6 training to the employee;

7 (3) the employer's policy was reasonable and applied
8 consistently;

9 (4) the employer undertook a thorough, fair and
10 objective investigation; and

11 (5) the employer used progressive discipline.

12 Section 20. Discharge for failure to satisfactorily
13 perform job duties. A discharge for failure to satisfactorily
14 perform job duties or comply with employer policies shall not
15 be deemed to be based on just cause unless the employer has
16 used progressive discipline. If that the time period between a
17 first warning or discipline and termination shall be not less
18 than 15 days, and the employer may not rely on a warning or
19 discipline issued more than one year in the past to justify a
20 discharge.

21 Section 25. Progressive discipline. Under progressive
22 discipline, an employer may discharge an employee immediately
23 for egregious misconduct. A finding of misconduct for purposes
24 of unemployment insurance eligibility shall not necessarily

1 constitute serious misconduct for purposes of this Act. An
2 employee discharged for egregious misconduct shall not be
3 entitled to severance pay.

4 Section 30. Discharge based on bona fide economic reasons.
5 A discharge shall not be deemed to be based on bona fide
6 economic reasons unless the following conditions are met:

7 (1) the discharge results from a reduction in
8 production, sales, services, profit, or funding of the
9 employer, or technological or organizational changes in
10 the employer's operations that necessitate full or partial
11 reduction of the employer's operations;

12 (2) the employees or groups of employees to be
13 discharged are identified using broadly applicable
14 criteria that do not appear to target individuals; and

15 (3) the bona fide economic reasons justifying the
16 discharge were specified in writing to the employee at the
17 time of the discharge and are supported by the employer's
18 records.

19 A discharge shall be presumed not to be based on bona fide
20 economic reasons where the employer hired or hires another
21 employee to perform substantially the same work within 90 days
22 before or after the discharge. Elimination of staff redundancy
23 created by a merger or acquisition shall not be deemed a bona
24 fide economic reason for discharge of employees.

1 Section 35. Employee actions that do not constitute just
2 cause for termination. In no event shall any of the following
3 actions by an employee constitute just cause for termination:

4 (1) an employee's communication about workplace
5 practices or policies to any person, including to an
6 employer, an employer's agent, other employees, a
7 government agency, or the public, including through print,
8 online, social media, or any other media; or

9 (2) an employee's refusal to work under conditions
10 that the employee reasonably believes would expose him or
11 her, other employees, or the public to an unreasonable
12 health or safety risk.

13 An employer shall not retaliate against any employee or
14 other person for the conduct. Notwithstanding any other
15 provision of law, the conduct shall constitute protected
16 conduct and may not be contractually prohibited, or subject to
17 civil or criminal sanction or liability.

18 Section 40. Employer assessments. An employer must
19 conduct its own assessment of an employee, and may not rely on
20 data gathered through electronic monitoring in discharging or
21 disciplining an employee. The employment decisions must be
22 made based on human-provided information sources, such as
23 supervisors' assessments and documentation or consulting
24 co-workers. An employer must disclose in advance to employees
25 any electronic monitoring or data collection at a workplace,

1 disclose the purposes for which the data will be used, and
2 provide employees meaningful opportunities to challenge any
3 electronic monitoring or data systems. However, data gathered
4 through electronic monitoring may be used in the following
5 circumstances: for non-employment-related purposes; for
6 discharging or disciplining an employee in cases of egregious
7 misconduct or involving threats to the health or safety of
8 other persons; or where required by State or federal law.
9 Information on employee tardiness or absenteeism from
10 electronic time-keeping systems that are used to measure
11 employee work shifts for payroll purposes may be considered
12 for purposes of employee discharge and discipline.

13 Section 45. Discharge; short-term position. Discharge at
14 the end of a short-term position shall not require a showing of
15 just cause and shall not entitle an employee to severance pay.
16 A position shall not be deemed to be a short-term position
17 where the employer hires another employee, including another
18 employee who is a day or temporary laborer, to perform
19 substantially the same work within 90 days before or after the
20 discharge. However, discharge prior to the end of the term of a
21 short-term position shall require a showing of just cause and
22 shall entitle the employee to severance pay.

23 Section 50. Severance pay. An employee shall accrue an
24 entitlement to one hour of severance pay for every 12.5 hours

1 worked during his or her first 2,080 hours of employment, and
2 one hour for every 50 hours worked thereafter. Within 14 days
3 after discharge, the employer shall pay the employee his or
4 her accrued severance pay, calculated based on the number of
5 hours accrued multiplied by the employee's rate of pay upon
6 discharge. However, an employee who is discharged at the end
7 of a short-term position shall not be entitled to severance
8 pay. Severance pay shall be exclusive of final compensation
9 due an employee upon separation, as provided for under Section
10 2 of the Illinois Wage Payment and Collection Act. For
11 purposes of determining an employee's hours of employment,
12 tenure, or seniority, multiple periods worked for the
13 employer, including through a day and temporary services
14 agency, and any time worked for a predecessor employer shall
15 be aggregated.

16 Section 55. Employment through day and temporary labor
17 services agencies.

18 (a) If an employee is a day or temporary laborer who has
19 worked 100 hours or more for a single third party client, the
20 third party client shall be deemed his or her employer, shall
21 become subject to the protections of this Act as regards the
22 employee, and may not discharge the employee without just
23 cause. However, if the employee's employment with the third
24 party client qualifies as a short-term position, then a
25 showing of just cause for discharge at the end of the

1 position's defined term shall not be required, nor shall
2 payment of severance pay at the end of the position's defined
3 term be required. In such a case the third party client must
4 show that all of the criteria and conditions for a short-term
5 position in Section 45 and in the definition of short-term
6 position are satisfied in order for the employment of the day
7 or temporary laborer to qualify as a short-term position.

8 (b) If an employee is a day or temporary laborer who has
9 not worked 100 hours or more for a single third party client,
10 but has worked 100 hours or more for a temporary labor services
11 agency, aggregating all hours worked for multiple third party
12 clients, the employee shall become subject to more limited
13 protection under this Act. The employee shall be given
14 priority by the temporary labor services agency for future
15 work assignments over employees who have not worked 100 hours
16 or more for the agency. When the employee is discharged by the
17 day and temporary labor services agency, the employee shall be
18 entitled to payment of severance pay, as determined under
19 Section 50. The employee shall be deemed discharged if he or
20 she receives no work assignment offers from the temporary
21 labor services agency for a period of 21 days or more. However,
22 if the employee's employment with the temporary labor services
23 agency ends in order for the employee to commence direct
24 employment with a third party client, then no payment of
25 severance pay shall be required.

26 (c) Employers that are third party clients and employers

1 that are day and temporary labor services agencies shall be
2 jointly and severally responsible with one another for
3 compliance with the Act's requirements.

4 Section 60. Collective bargaining agreement exemption. The
5 requirements of this Act shall not apply to employees who are
6 covered by a valid collective bargaining agreement.

7 Section 65. Notice and posting of rights.

8 (a) The Department shall publish and make available
9 notices informing employees of their rights protected under
10 this Act. Employers shall post the notices in a conspicuous
11 location in the workplace or at any job site, and shall give a
12 notice to each employee at the time of hiring and on an annual
13 basis. The notices shall be made available in a downloadable
14 format on the Department's website in English, Spanish,
15 Polish, Mandarin, and Cantonese.

16 (b) Every employer shall conspicuously post at any
17 workplace or job site where any employee works the notices
18 described in subsection (a) that apply to the particular
19 workplace or job site. The notices shall be in English and any
20 language spoken as a primary language by at least 5% of the
21 employees at that location if the Department has made the
22 notice available in that language.

23 Section 70. Recordkeeping.

1 (a) Employers shall retain records documenting their
2 compliance with the applicable requirements of this Act. In
3 addition, day and temporary labor services agencies shall
4 maintain records of each individual day or temporary laborer's
5 start date with the day and temporary labor services agency
6 and the dates on which that laborer was placed with a third
7 party client. Employers shall retain the records for a period
8 of 3 years and shall allow the Department access to the records
9 and other information, in accordance with applicable law and
10 with appropriate notice, in furtherance of an investigation
11 conducted in accordance with this Act.

12 (b) An employer's failure to maintain, retain, or produce
13 a record or other information required to be maintained by
14 this Section relevant to a material fact alleged by an
15 employee in a complaint brought under this Section or
16 requested by the Department pursuant to an investigation,
17 creates a rebuttable presumption that the fact is true.

18 Section 75. Administrative implementation and enforcement.

19 (a) The Department shall administer and enforce the
20 provisions of this Act and shall, within 120 days after its
21 effective date, adopt rules necessary to administer and
22 enforce the provisions of this Act. The rules shall include
23 the procedures for investigations and hearings under this Act.
24 The adoption, amendment, or rescission of rules shall be in
25 conformity with the requirements of the Illinois

1 Administrative Procedure Act.

2 (b) An aggrieved employee or his or her duly authorized
3 representative may file a complaint with the Department
4 regarding violations by an employer of this Act or of any
5 implementing rules. Upon receiving a complaint or on its own
6 initiative, the Department shall investigate potential
7 violations, make a determination whether a violation has
8 occurred, and take appropriate action to enforce the
9 provisions of this Act and any implementing rules.

10 (c) If an employer is found by the Department to have
11 violated this Act or any rules adopted under this Act, the
12 Department shall order the following, in addition to any other
13 remedy provided by law:

14 (1) In the case of unlawful discharge or unlawful
15 electronic monitoring, actual and liquidated damages
16 payable to each aggrieved worker equal to, at the
17 aggrieved party's election, \$10,000 or 3 times the actual
18 damages including, but not limited to, unpaid wages,
19 benefits, other remuneration owed, and compensation for
20 emotional pain, suffering, inconvenience, and mental
21 anguish, unless an adjudicator finds that mitigating
22 circumstances are present, in which case the adjudicator
23 may order that the preceding liquidated damages amount be
24 reduced as circumstances make appropriate, as well as
25 reinstatement, restoration of hours, other injunctive
26 relief (including to rectify conditions that led to

1 constructive discharge), punitive damages, and other
2 remedies as may be appropriate.

3 (2) In the case of discharge where severance pay was
4 not provided, payment of severance pay together with an
5 additional 2 times that amount as liquidated damages, and
6 other remedies as may be appropriate including punitive
7 damages.

8 (3) In the case of failure to provide a timely written
9 explanation for a discharge, injunctive relief and
10 liquidated damages in an amount equal to \$5,000, unless an
11 adjudicator finds that mitigating circumstances are
12 present, in which case the adjudicator may order that the
13 preceding liquidated damage amount be reduced as
14 circumstances make appropriate, and other remedies as may
15 be appropriate, including punitive damages.

16 (4) Payment of a further sum to the Department as a
17 civil penalty in an amount of \$10,000 for unlawful
18 discharge in violation of this Act or unlawful electronic
19 monitoring, in an amount of \$5,000 for failure to provide
20 a timely written explanation for a discharge, or in an
21 amount of \$1,000 for other violations of this Act,
22 including the Act's recordkeeping requirements or failure
23 to produce records requested in an investigation. However,
24 if an adjudicator finds that mitigating circumstances are
25 present, the adjudicator may order that the preceding
26 civil penalty amounts be reduced as circumstances make

1 appropriate. The civil penalties imposed in accordance
2 with this Section shall be imposed on a per employee and
3 per instance basis for each violation.

4 (5) Payment of the complainant's reasonable attorneys'
5 fees, expert fees, and other costs. For the purposes of
6 this provision, a complainant shall be deemed to have
7 prevailed and entitled to an award of fees and costs if
8 commencement of a complaint has acted as a catalyst to
9 effect policy change on the part of the respondent,
10 regardless of whether that change has been implemented
11 voluntarily, as a result of a settlement, or as a result of
12 a judgment in the party's favor.

13 (6) In assessing an appropriate remedy, due
14 consideration shall be given to the gravity of the
15 violation, the history of previous violations, and the
16 good faith of the employer.

17 (7) All amounts specified in this Act shall be updated
18 annually to keep pace with the rising cost of living by
19 increasing each amount in proportion to the increase over
20 the most recent 12-month period for which data are
21 available in the value of the Consumer Price Index for All
22 Urban Consumers (CPI-U), as calculated by the Bureau of
23 Labor Statistics of the United States Department of Labor,
24 and rounding the new amounts to the nearest multiple of
25 \$5. The increased amounts shall be announced by October 1
26 of each year, and shall take effect on January 1.

1 (8) Either party may bring an administrative appeal to
2 enforce, vacate, or modify the order, determination, or
3 other disposition.

4 (9) No procedure or remedy set forth in this Section
5 is exclusive or a prerequisite for asserting a claim for
6 relief to enforce any rights under this Act in a court of
7 law.

8 (10) Any employer who has been ordered by the
9 Department or ordered by a court to pay unpaid backpay,
10 front pay and benefits, severance pay, liquidated or
11 punitive damages, or civil penalties, and who fails to
12 seek timely review of the demand or order as provided for
13 under this Act and who fails to comply within 15 calendar
14 days after the demand or within 35 days after an
15 administrative or court order is entered shall also be
16 liable to pay a penalty to the Department of 20% of the
17 amount found owing and a penalty to the employee of 1% per
18 calendar day of the amount found owing for each day of
19 delay in paying the wages to the employee. All moneys
20 recovered as fees and civil penalties under this Act,
21 except those owing to the affected employee, shall be
22 deposited into the Wrongful Discharge Enforcement Fund, a
23 special fund which is hereby created in the State
24 treasury. Moneys in the Fund may be used only for
25 enforcement of this Act.

1 Section 80. Civil action. Except as otherwise provided by
2 law, any person claiming to be aggrieved by an employer's
3 violation of this Act has a cause of action in any court and,
4 upon prevailing, shall be awarded the relief specified in
5 Section 75 and, if the court finds in favor of the plaintiff,
6 it shall award the prevailing party, in addition to other
7 relief, his or her reasonable attorneys' fees, expert fees,
8 and other costs. As used in this Section, "prevailing" party
9 includes a party whose commencement of litigation has acted as
10 a catalyst to effect policy change on the part of the
11 defendant, regardless of whether that change has been
12 implemented voluntarily, as a result of a settlement, or as a
13 result of a judgment in the party's favor. Penalties and fees
14 under this Act may be assessed by the Department and recovered
15 in a civil action brought by the Department in any court or in
16 any administrative adjudicative proceeding under this Act. In
17 any civil action or administrative adjudicative proceeding
18 under this Act, the Department shall be represented by the
19 Attorney General.

20 Section 85. Public enforcement action. A relator or
21 representative organization may initiate a public enforcement
22 action in any court to pursue civil penalties, injunctive
23 relief, and declaratory relief, as specified in Section 75, on
24 behalf of the Department, for a violation of the provisions of
25 this Act affecting the relator and other current or former

1 employees, according to the following procedures:

2 (a) The relator or representative organization shall
3 give written notice to the Department of the specific
4 provisions of this Act alleged to have been violated,
5 including the facts and theories to support the alleged
6 violation. The notice shall be given in the manner as the
7 Department may prescribe by rule.

8 (b) If the Department intends to investigate the
9 alleged violation, it shall notify the relator or
10 representative organization of its decision within 65
11 calendar days after the postmark date of the notice.
12 Within 60 calendar days after that decision, the
13 Department may investigate the alleged violation and take
14 any enforcement action authorized by law. If the
15 Department determines that additional time is necessary to
16 complete the investigation, it may extend the time by not
17 more than 60 additional calendar days and shall notify the
18 relator or representative organization of the extension.

19 (c) Notwithstanding any other provision of law, a
20 public enforcement action brought under this Act must be
21 commenced within the limitations period specified in
22 Section 90. The statute of limitations for bringing a
23 public enforcement action under this Act shall be tolled
24 from the date a relator or representative organization
25 files a notice under this Section with the Department, or
26 the Department commences an investigation, whichever is

1 earlier.

2 (d) The relator or representative organization may
3 commence a civil action under this Act if the Department
4 determines that no enforcement action will be taken, or if
5 no enforcement action is taken by the Department within
6 the time limits prescribed.

7 (e) The Department may intervene in an action brought
8 under this Act and proceed with any and all claims in the
9 action as of right within 30 days after the filing of the
10 action, or for good cause, as determined by the court, at
11 any time after the 30-day period after the filing of the
12 action.

13 (f) Civil penalties recovered in a public enforcement
14 action brought under this Act shall be distributed as
15 follows:

16 (1) If the Department does not intervene in the
17 action, 60% to the Department, and 40% to the relator
18 or representative organization, to be distributed to
19 the employees affected by the violation, including a
20 service award that reflects the burdens and risks
21 assumed by the employee or representative organization
22 in prosecuting the action.

23 (2) If the Department does intervene in the
24 action, 70% to the Department, and 30% to the relator
25 or representative organization, the latter of which
26 shall be distributed to the employees affected by the

1 violation, including a service award that reflects the
2 burdens and risks assumed by the employee or
3 representative organization in prosecuting the action.

4 (3) The share of penalties recovered for the
5 Department under this Act shall be used solely to
6 support the Department's education and enforcement
7 activities relating to this Act, with approximately
8 25% of these penalties reserved for grants to
9 community organizations for outreach and education
10 about employee rights under this Act.

11 (g) In any public enforcement action commenced under
12 this Act, the court shall allow a prevailing relator or
13 representative organization to recover all reasonable
14 attorneys' fees, expert fees, and other costs. For the
15 purposes of this provision, a "prevailing" relator or
16 representative organization includes a relator or
17 representative organization whose commencement of
18 litigation has acted as a catalyst to effect policy change
19 on the part of the defendant, regardless of whether that
20 change has been implemented voluntarily, as a result of a
21 settlement, or as a result of a judgment in the relator or
22 representative organization's favor.

23 (h) No public enforcement action brought under this
24 Act shall be required to meet class action certification
25 requirements under Part 8 of Article II of the Code of
26 Civil Procedure or Rule 23(a) of the Federal Rules of

1 Civil Procedure.

2 (i) The relator or representative organization may not
3 recover compensatory damages or back pay, or seek
4 reinstatement, in a public enforcement action. But the
5 filing of a public enforcement action does not preclude an
6 employee from pursuing these remedies in another forum.

7 (j) The right to bring a public enforcement action
8 under this Act shall not be impaired by any private
9 contract.

10 Section 90. Limitation of actions. Notwithstanding any
11 other provision of law, an action under this Act must be filed
12 within 3 years after the complainant knew or should have known
13 of the alleged violation. However, this statute of limitations
14 period shall be tolled for the duration of any state of
15 emergency declared by the State or by any city or county in
16 which the action is commenced.

17 Section 95. Non-preemption. This Act does not preempt,
18 limit, or otherwise affect the authority of any other unit of
19 government to adopt laws, rules, requirements, policies, or
20 standards providing additional employment or workplace
21 protections.

22 Section 100. Violations. An employer that violates this
23 Act is guilty of a Class A misdemeanor.

1 Section 105. Severability. The provisions of this Act are
2 severable under Section 1.31 of the Statute on Statutes.

3 Section 900. The State Finance Act is amended by adding
4 Section 5.1038 as follows:

5 (30 ILCS 105/5.1038 new)

6 Sec. 5.1038. The Wrongful Discharge Enforcement Fund.

7 Section 999. Effective date. This Act takes effect January
8 1, 2027.