

# HB4038



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4038

Introduced 3/11/2021, by Rep. LaToya Greenwood

### SYNOPSIS AS INTRODUCED:

820 ILCS 191/5  
820 ILCS 191/10

Amends the Employee Sick Leave Act. Provides that personal care of a parent, mother-in-law, father-in-law, grandparent, or stepparent is a permissible use of personal sick leave benefits.

LRB102 10045 JLS 15365 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 5. The Employee Sick Leave Act is amended by  
5 changing Sections 5 and 10 as follows:

6 (820 ILCS 191/5)

7 Sec. 5. Definitions. In this Act:

8 "Department" means the Department of Labor.

9 "Personal sick leave benefits" means any paid or unpaid  
10 time available to an employee as provided through an  
11 employment benefit plan or paid time off policy to be used as a  
12 result of absence from work due to personal illness, injury,  
13 or medical appointment or for the personal care of a parent,  
14 mother-in-law, father-in-law, grandparent, or stepparent. An  
15 employment benefit plan or paid time off policy does not  
16 include long term disability, short term disability, an  
17 insurance policy, or other comparable benefit plan or policy.  
18 (Source: P.A. 99-841, eff. 1-1-17; 99-921, eff. 1-13-17.)

19 (820 ILCS 191/10)

20 Sec. 10. Use of leave; limitations.

21 (a) An employee may use personal sick leave benefits  
22 provided by the employer for absences due to an illness,

1 injury, or medical appointment of the employee's child,  
2 stepchild, spouse, domestic partner, sibling, parent,  
3 mother-in-law, father-in-law, grandchild, grandparent, or  
4 stepparent, or for the personal care of a parent,  
5 mother-in-law, father-in-law, grandparent, or stepparent on  
6 the same terms upon which the employee is able to use personal  
7 sick leave benefits for the employee's own illness or injury.  
8 An employer may request written verification of the employee's  
9 absence from a health care professional if such verification  
10 is required under the employer's employment benefit plan or  
11 paid time off policy.

12 (b) An employer may limit the use of personal sick leave  
13 benefits provided by the employer for absences due to an  
14 illness, injury, or medical appointment of the employee's  
15 child, stepchild, spouse, domestic partner, sibling, parent,  
16 mother-in-law, father-in-law, grandchild, grandparent, or  
17 stepparent to an amount not less than the personal sick leave  
18 that would be earned or accrued during 6 months at the  
19 employee's then current rate of entitlement. For employers who  
20 base personal sick leave benefits on an employee's years of  
21 service instead of annual or monthly accrual, such employer  
22 may limit the amount of sick leave to be used under this Act to  
23 half of the employee's maximum annual grant.

24 (c) An employer who provides personal sick leave benefits  
25 or a paid time off policy that would otherwise provide  
26 benefits as required under subsections (a) and (b) shall not

1 be required to modify such benefits.

2 (Source: P.A. 99-841, eff. 1-1-17; 99-921, eff. 1-13-17.)