

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 Victims' Economic Security and Safety Act is
5 amended by changing Section 30 as follows:

6 (820 ILCS 180/30)

7 Sec. 30. Victims' employment sustainability; prohibited
8 discriminatory acts.

9 (a) An employer shall not fail to hire, refuse to hire,
10 discharge, constructively discharge, or harass any individual,
11 otherwise discriminate against any individual with respect to
12 the compensation, terms, conditions, or privileges of
13 employment of the individual, or retaliate against an
14 individual in any form or manner, and a public agency shall not
15 deny, reduce, or terminate the benefits of, otherwise sanction,
16 or harass any individual, otherwise discriminate against any
17 individual with respect to the amount, terms, or conditions of
18 public assistance of the individual, or retaliate against an
19 individual in any form or manner, because:

20 (1) the individual involved:

21 (A) is or is perceived to be a victim of domestic
22 or sexual violence;

23 (B) attended, participated in, prepared for, or

1 requested leave to attend, participate in, or prepare
2 for a criminal or civil court proceeding relating to an
3 incident of domestic or sexual violence of which the
4 individual or a family or household member of the
5 individual was a victim, or requested or took leave for
6 any other reason provided under Section 20; or

7 (C) requested an adjustment to a job structure,
8 workplace facility, or work requirement, including a
9 transfer, reassignment, or modified schedule, leave, a
10 changed telephone number or seating assignment,
11 installation of a lock, or implementation of a safety
12 procedure in response to actual or threatened domestic
13 or sexual violence, regardless of whether the request
14 was granted; or

15 (D) is an employee whose employer is subject to
16 Section 21 of the Workplace Violence Prevention Act; or

17 (2) the workplace is disrupted or threatened by the
18 action of a person whom the individual states has committed
19 or threatened to commit domestic or sexual violence against
20 the individual or the individual's family or household
21 member.

22 (b) In this Section:

23 (1) "Discriminate", used with respect to the terms,
24 conditions, or privileges of employment or with respect to
25 the terms or conditions of public assistance, includes not
26 making a reasonable accommodation to the known limitations

1 resulting from circumstances relating to being a victim of
2 domestic or sexual violence or a family or household member
3 being a victim of domestic or sexual violence of an
4 otherwise qualified individual:

5 (A) who is:

6 (i) an applicant or employee of the employer
7 (including a public agency); or

8 (ii) an applicant for or recipient of public
9 assistance from a public agency; and

10 (B) who is:

11 (i) a victim of domestic or sexual violence; or

12 (ii) with a family or household member who is a
13 victim of domestic or sexual violence whose
14 interests are not adverse to the individual in
15 subparagraph (A) as it relates to the domestic or
16 sexual violence;

17 unless the employer or public agency can demonstrate that
18 the accommodation would impose an undue hardship on the
19 operation of the employer or public agency.

20 A reasonable accommodation must be made in a timely
21 fashion. Any exigent circumstances or danger facing the
22 employee or his or her family or household member shall be
23 considered in determining whether the accommodation is
24 reasonable.

25 (2) "Qualified individual" means:

26 (A) in the case of an applicant or employee

1 described in paragraph (1)(A)(i), an individual who,
2 but for being a victim of domestic or sexual violence
3 or with a family or household member who is a victim of
4 domestic or sexual violence, can perform the essential
5 functions of the employment position that such
6 individual holds or desires; or

7 (B) in the case of an applicant or recipient
8 described in paragraph (1)(A)(ii), an individual who,
9 but for being a victim of domestic or sexual violence
10 or with a family or household member who is a victim of
11 domestic or sexual violence, can satisfy the essential
12 requirements of the program providing the public
13 assistance that the individual receives or desires.

14 (3) "Reasonable accommodation" may include an
15 adjustment to a job structure, workplace facility, or work
16 requirement, including a transfer, reassignment, or
17 modified schedule, leave, a changed telephone number or
18 seating assignment, installation of a lock, or
19 implementation of a safety procedure, or assistance in
20 documenting domestic or sexual violence that occurs at the
21 workplace or in work-related settings, in response to
22 actual or threatened domestic or sexual violence.

23 (4) Undue hardship.

24 (A) In general. "Undue hardship" means an action
25 requiring significant difficulty or expense, when
26 considered in light of the factors set forth in

1 subparagraph (B).

2 (B) Factors to be considered. In determining
3 whether a reasonable accommodation would impose an
4 undue hardship on the operation of an employer or
5 public agency, factors to be considered include:

6 (i) the nature and cost of the reasonable
7 accommodation needed under this Section;

8 (ii) the overall financial resources of the
9 facility involved in the provision of the
10 reasonable accommodation, the number of persons
11 employed at such facility, the effect on expenses
12 and resources, or the impact otherwise of such
13 accommodation on the operation of the facility;

14 (iii) the overall financial resources of the
15 employer or public agency, the overall size of the
16 business of an employer or public agency with
17 respect to the number of employees of the employer
18 or public agency, and the number, type, and
19 location of the facilities of an employer or public
20 agency; and

21 (iv) the type of operation of the employer or
22 public agency, including the composition,
23 structure, and functions of the workforce of the
24 employer or public agency, the geographic
25 separateness of the facility from the employer or
26 public agency, and the administrative or fiscal

1 relationship of the facility to the employer or
2 public agency.

3 (c) An employer subject to Section 21 of the Workplace
4 Violence Prevention Act shall not violate any provisions of the
5 Workplace Violence Prevention Act.

6 (Source: P.A. 96-635, eff. 8-24-09.)

7 Section 10. The Workplace Violence Prevention Act is
8 amended by changing Sections 10, 15, 20, 25, 30, and 35 and by
9 adding Sections 21, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90,
10 95, 100, 105, 110, 115, 120, 125, and 130 as follows:

11 (820 ILCS 275/10)

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

13 "Credible threat of violence" means a statement or course
14 of conduct that ~~does not serve a legitimate purpose and that~~
15 causes a reasonable person to fear for the person's safety at
16 his or her workplace or for the safety of others at his or her
17 workplace ~~the person's immediate family.~~

18 "Employee" means:

19 (1) a person employed or permitted to work or perform a
20 service for remuneration;

21 (2) a member of a board of directors of any
22 organization;

23 (3) an elected or appointed public officer; and

24 (4) a volunteer, independent contractor, agency

1 worker, or any other person who performs services for an
2 employer at the employer's place of work.

3 "Employer" means an individual, partnership, association,
4 limited liability company, corporation, business trust, the
5 State, a governmental agency, or a political subdivision that
6 has at least 15 ~~5~~ employees during any work week.

7 "Petitioner" means any employer who commences a proceeding
8 for a workplace protection restraining order.

9 "Respondent" means a person against whom a workplace
10 protection restraining order proceeding has been commenced.

11 "Workplace" or "place of work" means any property that is
12 owned or leased by the employer and at which the official
13 business of the petitioner is conducted.

14 "Unlawful violence" means any act of violence, harassment,
15 or stalking as defined by the Criminal Code of 2012 ~~laws of~~
16 ~~this State.~~

17 (Source: P.A. 98-430, eff. 1-1-14.)

18 (820 ILCS 275/15)

19 Sec. 15. Employer's right to a workplace protection
20 restraining order ~~of protection~~. An employer may seek a
21 workplace protection restraining ~~an order of protection~~ to
22 prohibit further violence or threats of violence by the
23 respondent ~~a person~~ if:

24 (1) an ~~the~~ employee has suffered unlawful violence and
25 the respondent has made a credible threat of violence to be

1 carried out at the employee's workplace; ~~or a credible~~
2 ~~threat of violence from the person; and~~

3 (2) an employee believes that the respondent has made a
4 credible threat of violence to be carried out at the
5 employee's workplace; or

6 (3) an ~~the~~ unlawful act of violence has been carried
7 out at the workplace ~~employee's place of work~~ or the
8 respondent has made a credible threat of violence at the
9 workplace ~~credible threat of violence can reasonably be~~
10 ~~constructed to be carried out at the employee's place of~~
11 ~~work by the person.~~

12 (Source: P.A. 98-430, eff. 1-1-14.)

13 (820 ILCS 275/20)

14 Sec. 20. Affidavit ~~Irreparable harm.~~ An employer may obtain
15 a workplace protection restraining order if the employer files
16 an affidavit that shows by a preponderance of the evidence
17 that:

18 (1) the conditions of Section 15 of this Act have been
19 met;

20 (2) if the petitioner is seeking an emergency order,
21 great or irreparable harm has been suffered, will be
22 suffered, or is likely to be suffered by an employee at the
23 workplace;

24 (3) if the employer is seeking a workplace protection
25 restraining order involving an employee who is a victim of

1 unlawful violence by a family or household member as
2 defined by item (6) of Section 103 of the Illinois Domestic
3 Violence Act of 1986, the conditions of Section 21 of this
4 Act have been met. ~~An employer may obtain an order of~~
5 ~~protection under the Illinois Domestic Violence Act of 1986~~
6 ~~if the employer:~~

7 ~~(1) files an affidavit that shows, to the satisfaction~~
8 ~~of the court, reasonable proof that an employee has~~
9 ~~suffered either unlawful violence or a credible threat of~~
10 ~~violence by the defendant; and~~

11 ~~(2) demonstrates that great or irreparable harm has~~
12 ~~been suffered, will be suffered, or is likely to be~~
13 ~~suffered by the employee.~~

14 (Source: P.A. 98-430, eff. 1-1-14.)

15 (820 ILCS 275/21 new)

16 Sec. 21. Employee notification.

17 (a) In cases in which an employer is seeking a workplace
18 protection restraining order involving an employee who is a
19 victim of unlawful violence by a family or household member as
20 defined by item (6) of Section 103 of the Illinois Domestic
21 Violence Act of 1986 or is an employee who is a victim of
22 unlawful violence as proscribed in Article 11 or Sections
23 12-7.3, 12-7.4, and 12-7.5 of the Criminal Code of 2012, the
24 employer shall:

25 (1) prior to the filing of the petition, notify the

1 employee in writing of the employer's intent to seek a
2 workplace protection restraining order; and

3 (2) conduct a direct verbal consultation in
4 conversation with the employee prior to seeking a workplace
5 protection restraining order under this Act to determine
6 whether any safety or well-being concerns exist in relation
7 to the employer's pursuit of the order or whether seeking
8 the order may interfere with the employee's own legal
9 actions.

10 If, after direct verbal consultation in conversation with
11 the employee, the employee does not give the employer full and
12 voluntary consent to seek a workplace protection restraining
13 order, the employer shall not file for that order until a 4-day
14 waiting period has elapsed following the date of the direct
15 consultation. The 4-day waiting period does not apply if there
16 is an immediate threat of imminent physical harm to the work
17 site and the petitioner is seeking an emergency order.

18 (b) Employers subject to the Victims' Economic Security and
19 Safety Act shall additionally include in the written notice to
20 the employee in subsection (a) the following: "As your
21 employer, we are subject to the Victims' Economic Security and
22 Safety Act, which includes provisions for leave,
23 accommodations, and prohibitions against discrimination, and
24 we are notifying you of your rights under this Act. A summary
25 of your rights under the Victims' Economic Security and Safety
26 Act is provided on the workplace poster we are required under

1 law to post in your workplace."

2 (820 ILCS 275/25)

3 Sec. 25. Remedies. Employer remedies under this Act are
4 limited to a workplace protection restraining an order of
5 protection. Nothing in this Act, however, waives, reduces, or
6 diminishes any other civil or criminal remedy available to an
7 employer ~~under any other mechanism~~. A workplace protection
8 restraining order issued by the court may:

9 (1) Prohibit the respondent's unlawful violence in the
10 workplace, including ordering the respondent to stay away
11 from the workplace. When the respondent is employed at the
12 workplace location, the court, when issuing a workplace
13 protection restraining order, shall consider the severity
14 of the act and any continuing physical danger or emotional
15 distress to any employee in the workplace.

16 (2) Upon notice to the respondent, order the respondent
17 to pay the petitioner for property losses suffered as a
18 direct result of the actions of the respondent. Such losses
19 include, but are not limited to, repair or replacement of
20 property damaged or taken, reasonable attorney's fees, and
21 court costs to recover the property losses.

22 The remedies provided in this Section are in addition to
23 other civil or criminal remedies available to the employer.

24 (Source: P.A. 98-430, eff. 1-1-14.)

1 (820 ILCS 275/30)

2 Sec. 30. Action for workplace protection restraining order
3 Jurisdiction; venue; procedure; enforcement.

4 (a) An action for a workplace protection restraining order
5 may be commenced independently by filing a petition for a
6 workplace protection restraining order in any civil court,
7 unless specific courts are designated by local rule or order.

8 (b) The clerk of the circuit court shall charge fees in
9 accordance with the Clerks of Courts Act.

10 (c) Notwithstanding the requirements of Section 20 of this
11 Act, if the specific address or geographic location of the
12 workplace is not currently known to the respondent due to the
13 efforts by the employer or the employee to minimize the threat
14 of unlawful violence to the employee, and the petition provides
15 that disclosure of the employee's current workplace would risk
16 violence, the workplace address may be omitted from all
17 documents filed with the court. If the petitioner does not
18 disclose the workplace address, the petitioner shall designate
19 an alternative address at which the respondent may serve notice
20 of any motions.

21 (d) Any proceeding to obtain, modify, reopen, or appeal a
22 workplace protection restraining order shall be governed by the
23 rules of civil procedure of this State. The standard of proof
24 in such a proceeding is proof by a preponderance of the
25 evidence. The Code of Civil Procedure and Supreme Court and
26 local rules applicable to civil proceedings apply.

1 (e) There is no right to trial by jury in any proceeding to
2 obtain, modify, vacate, or extend any workplace protection
3 restraining order under this Act. ~~Issues of jurisdiction,~~
4 ~~venue, procedure, and enforcement shall be governed by the~~
5 ~~Illinois Domestic Violence Act of 1986.~~

6 (Source: P.A. 98-430, eff. 1-1-14.)

7 (820 ILCS 275/35)

8 Sec. 35. Subject matter jurisdiction ~~Law enforcement~~
9 ~~responsibilities.~~ Each of the circuit courts of this State has
10 the power to issue workplace protection restraining orders. ~~Law~~
11 ~~enforcement personnel shall have the same responsibilities~~
12 ~~under this Act as are provided in Article 3 of the Illinois~~
13 ~~Domestic Violence Act of 1986.~~

14 (Source: P.A. 98-430, eff. 1-1-14.)

15 (820 ILCS 275/40 new)

16 Sec. 40. Jurisdiction over persons. The courts of this
17 State have jurisdiction to bind: (1) State residents; and (2)
18 non-residents having minimum contacts with this State to the
19 extent permitted by Section 2-209 of the Code of Civil
20 Procedure.

21 (820 ILCS 275/45 new)

22 Sec. 45. Venue. A petition for a workplace protection
23 restraining order may be filed in any county where: (i) the

1 petitioner resides; (ii) the respondent resides; or (iii) the
2 alleged violence occurred.

3 (820 ILCS 275/50 new)

4 Sec. 50. Process.

5 (a) Any action for a workplace protection restraining order
6 requires that a separate summons be issued and served. The
7 summons shall require the respondent to answer and appear
8 within 7 days. Attachments to the summons or notice shall
9 include the petition for a workplace protection restraining
10 order, supporting affidavits, if any, and any emergency
11 workplace protection restraining order that has been issued.

12 (b) The summons shall be served by the sheriff or other law
13 enforcement officer at the earliest time possible and shall
14 take precedence over other summonses except those of a similar
15 emergency nature. A special process server may be appointed at
16 any time, and the appointment of a special process server shall
17 not affect the responsibilities and authority of the sheriff or
18 other official process servers.

19 (c) Service of summons on a member of the respondent's
20 household or by publication is adequate if: (1) the petitioner
21 has made all reasonable efforts to accomplish actual service of
22 process personally upon the respondent, but the respondent
23 cannot be found to effect the service; and (2) the petitioner
24 files an affidavit or presents sworn testimony describing those
25 efforts.

1 (d) A plenary workplace protection restraining order may be
2 entered by default for the remedy sought in the petition if the
3 respondent has been served in accordance with subsection (a) of
4 this Section or given notice and if the respondent then fails
5 to appear as directed or fails to appear on any subsequent
6 appearance or hearing date agreed to by the parties or set by
7 the court.

8 (e) An employee who has been a victim of domestic violence
9 by the respondent is not required to and the court may not
10 order the employee to testify, participate in, or appear in
11 this process for any purpose.

12 (820 ILCS 275/55 new)

13 Sec. 55. Hearing notice. Except as otherwise provided by
14 law or court rule, notice of hearings on petitions or motions
15 shall be served upon the respondent in accordance with Supreme
16 Court Rules 11 and 12.

17 (820 ILCS 275/60 new)

18 Sec. 60. Hearings. The court shall treat a petition for a
19 workplace protection restraining order as an expedited
20 proceeding and may not transfer or otherwise decline to decide
21 all or part of the petition. Nothing in this Section prevents
22 the court from reserving issues if jurisdiction or notice
23 requirements are not met.

1 (820 ILCS 275/65 new)

2 Sec. 65. Continuances.

3 (a) A petition for an emergency workplace protection
4 restraining order shall be granted or denied in accordance with
5 the standards of Section 70 of this Act, regardless of the
6 respondent's appearance or presence in court.

7 (b) Any action for a workplace protection restraining order
8 is an expedited proceeding. Continuances shall be granted only
9 for good cause shown and kept to a minimum reasonable duration,
10 taking into account the reason for the continuance.

11 (820 ILCS 275/70 new)

12 Sec. 70. Emergency order.

13 (a) The court shall issue an emergency workplace protection
14 restraining order if the petitioner establishes that:

15 (1) the court has jurisdiction under Section 40 of this
16 Act;

17 (2) the requirements of Sections 15 and 21 of this Act
18 are satisfied; and

19 (3) there is good cause to grant the remedy, regardless
20 of prior service of notice upon the respondent, because the
21 harm which that remedy is intended to prevent would be
22 likely to occur if the respondent were given prior notice
23 or greater notice than was actually given of the
24 petitioner's efforts to obtain judicial relief.

25 An emergency workplace protection restraining order shall

1 be issued by the court if it appears from the contents of the
2 petition and the examination of the petitioner that the
3 averments are sufficient to indicate irreparable harm under
4 Section 20 of this Act by the respondent and to support the
5 granting of relief through the issuance of the emergency
6 workplace protection restraining order.

7 (b) If the respondent appears in court for the hearing for
8 an emergency order, he or she may elect to file a general
9 appearance and testify. Any resulting order may be an emergency
10 order, governed by this Section. Notwithstanding the
11 requirements of this Section, if all requirements of Section 75
12 of this Act have been met, the court may issue a plenary order.

13 (c) If the court is unavailable at the close of business,
14 the petitioner may file a petition for a 21-day emergency order
15 before any available judge who may grant relief under this Act.
16 If the judge finds that there is an immediate and present
17 danger of irreparable harm and that the petitioner has
18 satisfied the prerequisites set forth in subsection (a) of this
19 Section, that judge may issue an emergency workplace protection
20 restraining order.

21 (d) The chief judge of the circuit court may designate for
22 each county in the circuit at least one judge to be reasonably
23 available to issue orally, by telephone, by facsimile, by
24 electronic means that comply with procedures established by the
25 court, or otherwise, an emergency workplace protection
26 restraining order at all times, whether or not the court is in

1 session.

2 (e) Any order issued under this Section and any
3 documentation in support of the order shall be certified on the
4 next court day to the appropriate court. The clerk of the court
5 shall immediately assign a case number, file the petition,
6 order, and other documents with the court, and enter the order
7 of record and file it with the sheriff for service in
8 accordance with Section 85 of this Act. Filing the petition
9 shall commence proceedings for further relief under Section 30
10 of this Act. Failure to comply with the requirements of this
11 subsection (e) does not affect the validity of the order.

12 (820 ILCS 275/75 new)

13 Sec. 75. Plenary order. The court shall issue a plenary
14 workplace protection restraining order if the petitioner has
15 served notice of the hearing for that order on the respondent
16 in accordance with Section 55 of this Section and establishes
17 that:

18 (1) the court has jurisdiction under Section 40 of this
19 Act;

20 (2) the requirements of Sections 15 and 21 of this Act
21 are satisfied;

22 (3) a general appearance was made or filed by or for
23 the respondent or process was served on the respondent in
24 the manner required by Section 50 of this Act; and

25 (4) the respondent has answered or is in default.

1 (820 ILCS 275/80 new)

2 Sec. 80. Employee testimony. In a plenary workplace
3 protection restraining order hearing, if the court finds that
4 testimony in the courtroom voluntarily offered by the employee
5 who has suffered the violence may result in serious emotional
6 distress to the employee who has suffered the violence, the
7 court may order that the examination of the employee be
8 conducted in chambers. Counsel shall be present at the
9 examination unless otherwise agreed upon by the parties. The
10 court shall cause a court reporter to be present who shall make
11 a complete record of the examination instantaneously to be part
12 of the record in the case.

13 (820 ILCS 275/85 new)

14 Sec. 85. Duration and extension of orders.

15 (a) Unless reopened or extended or voided by entry of an
16 order of greater duration, an emergency order is effective for
17 not less than 14 nor more than 21 days.

18 (b) A plenary workplace protection restraining order is
19 effective for a fixed period of time not to exceed one year.

20 (820 ILCS 275/90 new)

21 Sec. 90. Contents of orders.

22 (a) A workplace protection restraining order shall
23 describe each remedy granted by the court, in reasonable detail

1 and not by reference to any other document, so that the
2 respondent may clearly understand what he or she must do or
3 refrain from doing.

4 (b) A workplace protection restraining order shall include
5 the following:

6 (1) the name of the petitioner;

7 (2) the date and time the workplace protection
8 restraining order was issued, whether it is an emergency or
9 plenary order, and the duration of the order;

10 (3) the date, time, and place for any scheduled hearing
11 for extension of the workplace protection restraining
12 order or for another order of greater duration or scope;

13 (4) for each remedy in an emergency workplace
14 protection restraining order, the reason for entering that
15 remedy without prior notice to the respondent or greater
16 notice than was actually given; and

17 (5) for emergency workplace protection restraining
18 orders, that the respondent may petition the court, in
19 accordance with Section 100, to reopen the order if he or
20 she did not receive actual prior notice of the hearing as
21 required under Section 55 of this Act and if the respondent
22 alleges that he or she had a meritorious defense to the
23 order or that the order or its remedy is not authorized by
24 this Act.

1 Sec. 95. Notice of orders.

2 (a) Upon issuance of a workplace protection restraining
3 order, the clerk shall immediately, or on the next court day if
4 an emergency order is issued in accordance with subsection (c)
5 of Section 70 of this Act:

6 (1) enter the order on the record and file it in
7 accordance with the circuit court procedures; and

8 (2) provide a file stamped copy of the order to the
9 respondent, if present, and to the petitioner.

10 (820 ILCS 275/100 new)

11 Sec. 100. Modification.

12 (a) Except as otherwise provided in this Section, upon
13 motion of the petitioner, the court may modify an emergency or
14 plenary workplace protection restraining order by altering the
15 remedy, subject to Section 25 of this Act.

16 (b) After 30 days following the entry of a plenary
17 workplace protection restraining order, a court may modify the
18 order only if a change in the applicable law or facts since the
19 plenary order was entered warrants a modification of its terms.

20 (c) Upon 2 days' notice to the petitioner, or shorter
21 notice as the court may prescribe, a respondent subject to an
22 emergency workplace protection restraining order issued under
23 this Act may appear and petition the court to rehear the
24 original or amended petition. A petition to rehear shall be
25 verified and shall allege that:

1 (1) the respondent did not receive prior notice of the
2 initial hearing in which the emergency workplace
3 protection restraining order was entered under Sections 55
4 and 70 of this Act; and

5 (2) the respondent had a meritorious defense to the
6 order or any of its remedies or the order or any of its
7 remedies was not authorized by this Act.

8 (820 ILCS 275/105 new)

9 Sec. 105. Enforcement. The court may enforce workplace
10 protection restraining orders through civil contempt
11 proceedings.

12 (820 ILCS 275/110 new)

13 Sec. 110. Employment discrimination. An employer seeking
14 or obtaining a workplace protection restraining order shall
15 comply with any federal or State law to which it is subject,
16 including any provision under the Victims' Economic Security
17 and Safety Act and the Illinois Human Rights Act, regarding
18 employee protections and the rights of the employee who has
19 suffered the violence.

20 (820 ILCS 275/115 new)

21 Sec. 115. Effect on other laws and employment benefits.

22 (a) Nothing in this Act shall be construed to supersede any
23 provision of any federal, State, or local law, collective

1 bargaining agreement, or employment benefits program or plan
2 that provides employment protections for employees, including
3 any provision under the Victims' Economic Security and Safety
4 Act and the Illinois Human Rights Act.

5 (b) Any other claims under the Victims' Economic Security
6 and Safety Act against the employer may be heard as part of a
7 civil action under this Act.

8 (820 ILCS 275/120 new)

9 Sec. 120. Exemptions.

10 (a) The court may not enter a workplace protection
11 restraining order that enjoins the following activities:

12 (1) lawful monitoring of compliance with public or
13 worker safety laws, wage and hour requirements, or other
14 statutory workplace requirements;

15 (2) lawful picketing, patrolling, using a banner, or
16 other lawful protesting at the workplace which arises out
17 of a bona fide labor dispute; and

18 (3) engaging in concerted and protected activities as
19 defined in applicable labor law.

20 (b) As used in this Section, "bona fide labor dispute"
21 means any activity recognized as a labor dispute by the
22 National Labor Relations Act, the Illinois Public Labor
23 Relations Act, or the Illinois Educational Labor Relations Act,
24 and includes a controversy concerning: wages, salaries, hours,
25 working conditions, or benefits, including health and welfare,

1 sick leave, insurance, and pension or retirement provisions;
2 the terms to be included in collective bargaining agreements;
3 and the making, maintaining, administering, and filing of
4 protests or grievances under a collective bargaining
5 agreement.

6 (820 ILCS 275/125 new)

7 Sec. 125. Confidentiality and privacy. The employer shall
8 keep all information relating to a workplace protection
9 restraining order in the strictest confidence, limiting
10 information only to those employees who have a current
11 demonstrable interest related to the safety of the employee who
12 has suffered the violence.

13 (820 ILCS 275/130 new)

14 Sec. 130. Exemption.

15 (a) This Act does not apply to any individual or
16 organization that is lawfully (i) monitoring for compliance
17 with public or worker safety laws, wage and hour requirements,
18 or other statutory requirements or (ii) picketing, patrolling,
19 using a banner, or otherwise protesting at the workplace in
20 relation to a bona fide labor dispute including any controversy
21 concerning wages, salaries, hours, working conditions or
22 benefits, including health and welfare, sick leave, insurance,
23 and pension or retirement provisions, the making or maintaining
24 of collective bargaining agreements, and the terms to be

1 included in those agreements.

2 (b) This Act does not apply to any lawful exercise of the
3 right of free speech or assembly.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.