

ILLINOIS DEPARTMENT OF LABOR

STATE OF ILLINOIS

ILLINOIS EQUAL PAY ACT OF 2003

820 ILCS 112/50

Fiscal Year 2022 Annual Report

Administration and Enforcement Activities

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I. INTRODUCTION

The Illinois Equal Pay Act of 2003 (820 ILCS 112/1-90) (the Act) prohibits employers from paying unequal wages to men and women doing the same or substantially similar work, requiring equal skill, effort, responsibility and under similar working conditions; unless such wage difference is based upon a seniority system, merit system, a system measuring earnings by quantity or quality of production or factors other than gender. The Act was expanded in 2019 to include protections for African American employees. It specifically prohibits paying African American employees a wage less than an employee that is not an African American. The Act was further expanded in 2019 prohibiting employers and employment agencies from inquiring about applicants' past wage and compensation histories or using such information to screen candidates for a job. The Act was further expanded in 2021 to require employers with 100 or more employees to obtain an Equal Pay Registration Certificate (EPRC). The Act requires employers to provide information about its workers and their pay.

The state law expands the federal Equal Pay Act of 1963 (29 U.S. Code Chapter 8 § 206(d)) by covering more workers, providing better enforcement mechanisms, and improving public awareness.

II. ADMINISTRATION

The Illinois Department of Labor (IDOL) Conciliation and Mediation (ConMed) Division administers and enforces the Act and conducts outreach and education efforts regarding the law. Robert Parrilli is the division manager. Section 50 of the Act requires IDOL to produce an annual report of its activities regarding administration and enforcement for the preceding fiscal year. The report is filed with the Governor and General Assembly no later than January 1st of each year. This report highlights IDOL activities for fiscal year 2022.

III. ENFORCEMENT

The Act provides wage protections to employees across the state. In 2022, IDOL received 20 new equal pay complaints. A total of 6 new complaints were within the Chicago area and 14 new complaints were outside of Chicago.

The total ConMed Division Equal Pay complaints open for investigation is 23 , which includes a rollover of complaints from the previous fiscal year. The total amount of back wages paid due to

administrative enforcement was \$11,445. The Division also collected \$3,000 in penalties, resulting from administrative enforcement.

COMPLAINTS:

New Complaints Received: 20

Complaints Still Under Investigation: 23

WAGES RECOVERED FOR WORKERS:

Wages Collected by IDOL: \$4,945

Wages Paid from Private Settlements: \$6,500

Total Wages Paid to Complainants: \$11,445

PENALTIES RECOVERED:

Penalties Collected by IDOL: \$3,000

Additionally, IDOL dismissed 23 cases in 2022 for the following reasons:

- (1) No Equal Pay Act violation found after IDOL investigation: 14
- (2) Complaint did not concern wage discrimination based on gender or African American wage discrimination or salary ban complaint issues: 1
- (3) Incomplete complaint: 0
- (4) Complainant withdrew claim: 4
- (5) Complaint was privately settled: 1
- (6) Complaint was Paid through IDOL: 3
- (7) Complaint was a duplicate of a previous case: 0
- (8) Complaint was filed in Cook County Circuit Court: 0
- (9) Complainant did not respond: 0

IV. OUTREACH AND PUBLIC AWARENESS
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Due to the COVID-19 pandemic, the ability to perform outreach and increase public awareness was limited during 2022. Due to the implementation of the Equal Pay Registration Certificate, the Department conducted training sessions for employers subject to the Act.