

New Illinois Labor and Employment Laws Effective January 1, 2017

AUTHOR: JOHN L. GILBERT

A slew of new laws went into effect on January 1 in Illinois. Below are key labor and employment laws:

1. SB3163 creates the Illinois Freedom to Work Act providing that no employer may enter into a covenant not to compete with any low-wage employee. Low-wage employee is defined as a wage earner making the greater of the applicable minimum wage or \$13.00 per hour.
2. HB3554 directs the Illinois Department of Labor to search for employees who have been harmed by unpaid wages so they may recover what they are owed.
3. HB4036 amends VESSA (Victims' Economic Security and Safety Act) which requires employers with one or more employees to allow an employee who has a family member or household member who is a victim of domestic or sexual violence four weeks of unpaid leave. The leave may run concurrently with FMLA leave.
4. HB4999 amends the Right to Privacy in the Workplace Act making it unlawful for an employer or perspective employer to request or require an employee or applicant to authenticate or access a personal online account in the presence of the employer, request or require that an employer applicant invite the employer to join a group affiliated with any personal online account of the employer applicant, or join an online account established by the employer.
5. HB6162 created the Employee Sick Leave Act which allows employees to use personal sick leave benefits for absences due to illness, injury, or medical appointments of an employee's direct family members and not just the employee. Employers with PTO do not have to modify those policies or provide sick-time leave at all.