Engage PEO Client Alert:

Amendment to the Illinois Employee Sick Leave Act

Governor J.B. Pritzker signed House Bill 158 (HB 158), on April 27, 2021, which amends the Employee Sick Leave Act to cover leave for a family member's personal care. The 2017 Employee Sick Leave Act requires employers to permit employees to use their "personal sick leave benefits" to care for the employee's family member.

Previously, employees could use their personal sick leave benefits for absences due to their family member's illness, injury, or medical appointment. **Now, under HB 158, employees can also use their personal sick leave benefits for their family member's "personal care."** Personal care is defined to include activities to ensure that the family member's basic medical, hygiene, nutritional, or safety needs are met, or to provide transportation to medical appointments, for a family member who is unable to meet their own needs. Personal care also means being physically present to provide emotional support to a family member with a serious health condition who is receiving inpatient or home care.

The Chicago and Cook County local paid sick leave requirements currently entitle employees to earn and use up to 40 hours of paid sick leave per year for a family member's illness or injury, medical care, treatment, or diagnosis, or preventive medical care. The ordinances also permit employees to use 20 hours of paid sick leave per year if they take a FMLA-qualifying leave of absence.

If you have questions about pregnancy accommodations, or employers' obligations under the new law, please contact your Engage HR Consultant.