



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2490

Introduced 2/4/2025, by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

New Act

Creates the Firefighter Paid Family Leave Act. Provides that a firefighter shall receive 6 weeks of paid family leave that may be used: (1) for the birth of a child in order to care for the child; (2) to care for a newly adopted child under 18 years of age, a newly placed foster child under 18 years of age, or a newly adopted or placed foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability; and (3) to care for a family member with a serious health condition. Provides that an employer shall compensate a firefighter granted leave under the Act at the firefighter's regular rate of pay, paid at the same interval the firefighter was paid while working, for those regular work hours during which the firefighter is absent from work. Sets forth provisions concerning employment protection and maintenance of benefits; prohibited acts, limitations of the Act; waiver of leave under the Act; and collective bargaining agreements. Limits home rule. Provides that the Department of Labor may adopt any rules necessary to implement the Act. Effective immediately.

LRB104 08298 SPS 18349 b

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 1. Short title. This Act may be cited as the
5 Firefighter Paid Family Leave Act.

6 Section 5. Definitions. As used in this Act:

7 "Family Member" means a firefighter's child, stepchild,
8 spouse, domestic partner, sibling, parent, mother-in-law,
9 father-in-law, grandchild, grandparent, or step-parent.

10 "Firefighter" has the meaning set forth in Section 4-106
11 of the Illinois Pension Code. "Firefighter" includes an
12 individual eligible to participate in a fund established under
13 under Article 4 of the Illinois Pension Code, an individual
14 who is not eligible to participate in a fund established under
15 Article 4 who is employed on a full-time basis as a firefighter
16 or paramedic, and a firefighter paramedic who is employed by a
17 municipality or fire protection district to perform duties as
18 a paramedic, emergency medical technician (EMT), emergency
19 medical technician basic (EMT-B), emergency medical
20 technician-intermediate (EMT-I), or advanced emergency medical
21 technician (A-EMT).

22 "Serious health condition" means an illness, impairment,
23 or physical or mental condition that requires inpatient care

1 in a hospital, hospice, or residential medical care facility
2 or continuing medical treatment or continuing supervision by a
3 health care provider.

4 Section 10. Paid family leave.

5 (a) A firefighter shall receive 6 weeks of paid family
6 leave that may be used for the following:

7 (1) for the birth of a child and to care for a newborn
8 child;

9 (2) to care for a newly adopted child under 18 years of
10 age, a newly placed foster child under 18 years of age, or
11 a newly adopted or placed foster child older than 18 years
12 of age if the child is incapable of self-care because of a
13 mental or physical disability; and

14 (3) to care for a family member with a serious health
15 condition.

16 (b) An employer shall reasonably accommodate additional
17 physical recovery time for a firefighter returning from leave
18 used for the purpose described in paragraph (1) of subsection
19 (a), including light-duty assignments or an agreed to
20 reassignment of duties until the firefighter is able to return
21 to full duties.

22 (c) The employer shall compensate a firefighter granted
23 leave under this Act at the firefighter's regular rate of pay,
24 paid at the same interval the firefighter was paid while
25 working, for those regular work hours during which the

1 firefighter is absent from work.

2 Section 15. Employment protection; maintenance of
3 benefits.

4 (a) A firefighter who takes leave under this Act shall be
5 entitled, on return from leave, to be restored by the employer
6 to the position of employment held by the firefighter when the
7 leave commenced, or to be restored to an equivalent position
8 with equivalent employment benefits, pay, and other terms and
9 conditions of employment.

10 (b) A firefighter who takes leave under this Act shall not
11 lose any employment benefit accrued by the firefighter prior
12 to the date on which the leave commenced.

13 Section 20. Prohibited acts.

14 (a) No employer shall discharge, expel, or otherwise
15 discriminate a person because the person has filed or
16 communicated to the employer an intent to file a claim, a
17 complaint, or an appeal or has testified or is about to testify
18 or has assisted in any proceeding, under this Act, at any time.

19 (b) It is unlawful for any employer to threaten to take or
20 take any adverse action against a firefighter because the
21 firefighter:

22 (1) exercises rights or attempts to exercise rights
23 under this Act;

24 (2) opposes practices which the firefighter believes

1 to be in violation of this Act; or

2 (3) supports the exercise of the rights of another
3 under this Act.

4 (c) It is unlawful for any employer to consider the use of
5 paid leave by a firefighter as a negative factor in any
6 employment action that involves evaluating, promoting,
7 disciplining, or counting paid leave under a no-fault
8 attendance policy.

9 Section 25. Limitations. The paid family leave
10 requirements established by this Act shall be provided to a
11 firefighter who has been employed by an employer for at least
12 one year, regardless of the employer's leave policies.

13 Section 30. Waiver. A firefighter may voluntarily waive
14 the paid family leave requirement established by this Act by
15 returning to work before the 6 weeks of leave have elapsed or
16 by declining, in writing, to accept the paid family leave.

17 Section 35. Collective bargaining agreements. Unless
18 otherwise provided in a collective bargaining agreement,
19 nothing in this Act shall be construed to waive or otherwise
20 limit a firefighter's right to final compensation for any type
21 of leave promised to be paid under contract of employment.

22 Section 40. Home rule. A home rule unit may not regulate

1 the provision of paid family leave to firefighters in a manner
2 more restrictive than the regulation by the State of the
3 provision of paid family leave to firefighters under this Act.
4 This Section is a limitation under subsection (i) of Section 6
5 of Article VII of the Illinois Constitution on the concurrent
6 exercise by home rule units of powers and functions exercised
7 by the State.

8 Section 45. Rules. The Department of Labor may adopt any
9 rules necessary to implement this Act.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.