

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 against 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 99. Effective date. This Act takes effect upon  
9 becoming law.