



August 29, 2023

The content below is the recently approved requirements that may apply to you and your business. Please find information below regarding the IL Department of Labor's Equal Pay Certificate, the Paid Leave for All Workers Act, and the annual Sexual Harassment Training Prevention Program.

IDOL Equal Pay Certificate

Per HB 4604 ([P.A. 102-0705](#)) of the 102nd General Assembly, private businesses with 100 or more employees are required to submit an application to obtain an Equal Pay Registration Certificate by providing certain pay, demographic and other data to the IL Department of Labor by March 24, 2024 and recertify every two years after the first submission. The law also requires such employers to submit certain information with their application, including: a statement certifying that the business is in compliance with the Equal Pay Act of 2003 and other State and Federal laws related to equal pay. For the purposes of this requirement, "business" is defined as "any private employer who has 100 or more employees in the State of Illinois and is required to file an Annual Employer Information Report EEO-1 with the Equal Employment Opportunity Commission, but does not include the State of Illinois or any political subdivision, municipal corporation, or other governmental unit or agency. Please visit [IDOL's Equal Pay Registration Certificate](#) page to access the online portal that businesses must use to submit their contact information and required data to IDOL, a training guide for use of the portal, a compliance statement template, and other certification information and resources. In addition, you are encouraged to review the [Frequently Asked Questions](#) section of the IDOL webpage.

Please note: ICIC members are signatory to collective bargaining agreements; which ensures signatory construction industry employers are already paying their employees equally. Therefore, ICIC is reviewing our options to pursue legislation aimed at exempting construction industry employers who are signatory to collective bargaining agreements from the requirements of this law. More information will be provided to ICIC members on this issue as it becomes available.

Paid Leave for All Workers Act

On January 10, 2023, the Illinois General Assembly approved SB 208 ([P.A. 102-1143](#)), the "Paid Leave for All Workers Act". This new law requires private employers to provide earned paid leave to employees to be used for any reason. The Paid Leave for All Workers Act takes effect on January 1, 2024 and sets forth a minimum of 40 hours (or 5 days) paid leave for all employees (regardless of size of employer).

The new law includes an exemption for signatory employers of collective bargaining agreements in the construction industry and states the following: *"In no event shall this Act apply to any employee working in the construction industry who is covered by a bona fide collective bargaining agreement...".* In addition, the Act includes a very specific definition of "construction industry": *"Construction industry" means any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, wrecking, painting, decorating, demolishing, or adding to or subtracting from any building, structure, highway, roadway, street, bridge, alley, sewer, ditch, sewage disposal plant, waterworks, parking facility, railroad, excavation or other structure, project, development, real property,*

or improvement, or to do any part thereof, whether or not the performance of the work herein described involves the addition to or fabrication into, any structure, project, development, real property, or improvement herein described of any material or article of merchandise. "Construction industry" also includes moving construction related materials on the job site or to or from the job site, snow plowing, snow removal, and refuse collection.

However, while the law exempts signatory contractors in the construction industry from these new requirements, **the new law will apply to a contractor's administrative and other support staff who are not covered by a collective bargaining agreement.** Please visit IDOL's [Paid Leave for All Workers Act](#) page to access more information on this new law. The webpage also includes a [Frequently Asked Questions](#) section.

Annual Sexual Harassment Prevention Training

Public Act 101-0221, Illinois employers are required to train employees on sexual harassment prevention on an annual basis. The training must be completed by December 31, 2023. This requirement applies to all employers with employees working in this State. Please visit the IL Department of Human Rights [Sexual Harassment Prevention Training Program](#) page to access more information, including [Frequently Asked Questions](#).