



Insights: Alerts

Illinois Employment Law Updates

October 14, 2025

Written by **Jeralyn H. Baran**

Employment law in Illinois is constantly evolving. Now is the time to review and update your employee handbooks to stay compliant heading into the new year. Below are some key legal developments that employers should be aware of:

New Law

Family Neonatal Intensive Care Leave Act

Effective June 1, 2026

- Employers with **16–50 employees** must provide up to **10 days of unpaid, job-protected leave** for time their employees spend with their newborn in the NICU.
- Employers with **51+ employees** must provide up to **20 days of unpaid leave**.
- This leave is **in addition to** leave under the Family and Medical Leave Act.
- Employers **may not** require employees to use paid leave.

Amendments to Existing Laws

Nursing Mothers in the Workplace Act

Effective January 1, 2026

- Employers must provide **paid breaks** for nursing employees to express breast milk for **up to one year** after childbirth.
- Employers cannot require employees to use paid leave or reduce their pay during these breaks.

Employee Blood and Organ Donation Leave Act

Effective January 1, 2026

- Employees are entitled to **up to 10 days** of leave per 12-month period for organ donation; unclear as to whether the leave time must be paid.

- **Both full-time and part-time employees** must be allowed **one hour of paid leave every 56 days to donate blood**.
- Applies to employers with 51+ employees.

Victims' Economic Security and Safety Act

Effective January 1, 2026

- Employers may **not take adverse action** against employees who use work-issued devices to document incidents of domestic, sexual, gender-based violence or other violent crimes committed against themselves or their family members.
- Employers must provide access to any media (photos, videos, audio) recorded on those devices related to such incidents.

Workplace Transparency Act

Effective January 1, 2026

- Severance and other employment agreements **cannot unilaterally**:
 - Restrict employee's rights to engage in concerted activity under the National Labor Relations Act
 - Shorten statutory deadlines or require non-Illinois law/venue for Illinois employee claims
 - Assert that confidentiality is preferred by the employee
- **Consideration** is now required for confidentiality provisions, **separate** from consideration provided for release provisions.

Illinois Human Rights Act

Effective January 1, 2026

- The Department may decline to hold a fact-finding conference in employment-related complaints.
- Penalties are increased for repeat violations — up to **\$70,000** for two or more within seven years.

Illinois Human Rights Act (Use of AI)

Effective January 1, 2026

- Prohibits AI use in connection with recruitment, hiring, promotion, discharge, tenure, or other terms and conditions of employment to discriminate based on an individual's protected class or zip code.
- Employer must notify employee when AI is used in connection with employment decisions.

ICYMI: Recent Laws Enacted in 2025

Military Leave Act

Effective August 1, 2025

- Formerly the Family Military Leave Act.
- Requires up to **8 hours of paid leave per month**, and **up to 40 hours per year**, for employees participating in military funeral honors.
- Applies to employers with 51+ employees

Equal Pay Act

Effective June 3, 2025

- Clarifies that employers with **100+ employees as of December 31** must comply with equal pay reporting, aligning with IDOL enforcement practices.

Wage Payment and Collection Act

Effective August 1, 2025 (retroactive)

- Illinois Department of Labor wage claim decisions become **collectible if unpaid within 35 days** after judicial review or the expiration of the appeal window.
- Applies to **pending claims** as well.

Stalking No Contact Order Act

Effective August 15, 2025

- Expands the definition of stalking to include harassment that is unreasonable and causes emotional distress.
- **Contacting or surveilling an employee at work** is presumed to cause such distress.

Workers' Rights and Worker Safety Act

Effective August 14, 2025

- Prohibits Illinois agencies from weakening state rules below the level of **federal wage/hour and mine safety laws as of April 28, 2025**.
- Designed to maintain robust worker protections in the face of potential federal rollbacks.

Next Steps:

Ensure your employment policies and agreements reflect these updates. Consider a year-end compliance review to reduce legal risk in 2026.

Related People



Jeralyn H. Baran

t 312.606.3217

jbaran@ktslaw.com