

Insights: Alerts

Illinois Expands Attorney General's Authority to Enforce Workplace Laws: Enhanced Investigative and Enforcement Powers Take Effect January 1, 2027

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Illinois has enacted amendments to the Illinois Attorney General Act and the Freedom of Information Act to materially expand the authority of the Illinois Attorney General's Workers' Protection Unit to investigate and enforce alleged violations of state workplace laws. The new expanded authority becomes effective January 1, 2027.

Attorney General Kwame Raoul has emphasized the Workplace Rights Bureau's role in recovering millions of dollars on behalf of Illinois workers. The amendment further strengthens the Attorney General's ability to pursue alleged workplace violations, including matters involving wage payment, workplace safety, and fair-employment practices.

Broader Enforcement Authority,

Under the amendment to the Illinois Attorney General Act, the Workers' Protection Unit may intervene in, initiate, and enforce legal proceedings relating to:

- Payment of wages
- Workplace safety
- Fair-employment practices
- Other laws concerning labor or employment in Illinois

The statute's broad language extends the Unit's authority to enforce, "without limitation," laws regarding labor or employment in the state. This expansion may result in increased state-level scrutiny of employers' compliance with Illinois employment requirements.

New Pre-Filing Investigative Tools

The amendment also provides the Workers' Protection Unit with significant investigatory authority before litigation is filed. In a pre-filing investigation, the Unit may:

- Issue subpoenas for documents
- Serve written interrogatories
- Conduct employee interviews
- Inspect employer premises

Employers subject to an investigation will be required to cooperate with the Attorney General's Office, make relevant premises and records available for inspection, and permit employees to participate in confidential interviews.

The law preserves an important limitation: absent an inspection warrant, an employer may restrict access to areas that are not publicly accessible.

Confidentiality of Investigation Materials

To enhance compliance, the legislature has provided that all information obtained during these investigations will be exempt from disclosure under the Illinois Freedom of Information Act. Accordingly, investigative materials produced to or obtained by the Attorney General's Office generally will not be available through a public-records request.

Practical Considerations for Employers

With the expanded authority taking effect on January 1, 2027, Illinois employers should consider reviewing their employment-law compliance programs, including policies and practices concerning:

- Wage payment and recordkeeping
- Employee classification
- Working-time and leave compliance
- Workplace-safety obligations
- Equal employment opportunity and anti-discrimination policies
- Procedures for responding to government subpoenas, inspections, and employee-interview requests

Employers should also ensure that managers and human-resources personnel understand appropriate protocols for responding to an Attorney General investigation while avoiding conduct that could be perceived as interfering with employees' confidential communications with government investigators.

For questions regarding the Illinois Attorney General's expanded workplace-enforcement authority or related compliance considerations, please reach out to Kilpatrick's [Labor & Employment Team](#).

Related People



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