



Insights: Alerts

# Illinois Department of Human Rights Issues Proposed Rules on AI Notice Requirements in Employment Decisions

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*Jun 10, 2026, Update: The Illinois Department of Human Rights recently announced that it is temporarily withdrawing its proposed rules that it recently released to allow for more collaboration with other state agencies. Although the Department withdrew its proposed rules, public comments still are welcome and will be received. The statutory obligations of the law providing for the regulation of AI in employment decisions, effective January 1, 2026, still are in effect. Kilpatrick will provide more information as it becomes available.*

The Illinois Department of Human Rights (IDHR) has published [proposed regulations](#) implementing Illinois' artificial intelligence notice requirements for employment decisions. The proposed rules were published in the Illinois Register on May 15, 2026, and the public comment period remains open through June 29, 2026. Written comments may be submitted to [DHR.AI2026Rules-PublicComment@Illinois.gov](mailto:DHR.AI2026Rules-PublicComment@Illinois.gov).

## Key Proposed Changes

**Expanded Record Retention Requirements:** Proposed amendments to Section 2520.110 would extend the required retention period for employment records from **one year to three years**. Employers would also be required to preserve records relating to AI-related notices, postings, and disclosures.

**New AI Employment Decision Rules:** The proposed rules create a new subpart governing the use of artificial intelligence in employment decisions.

**Definitions:** Section 2520.900 adds definitions for key terms, including "artificial intelligence," "generative artificial intelligence," and "covered employment decision."

**Notice Requirements:** Under proposed Section 2520.910, employers may not use artificial intelligence to influence or facilitate a covered employment decision unless notice is provided to employees, applicants, and exclusive bargaining representatives.

Examples of AI uses that may trigger notice requirements include targeted recruitment and advertising and

resume-screening tools. Notice generally would not be required when AI is used solely to create job postings or generate promotional content.

The proposed rules require employers to provide notice within 30 days of adopting a new or substantially updated AI system and to include notice in job postings for applicants. Notices must also be included in employee handbooks or policy documents, posted at worksites where notices are customarily displayed, and posted on employer intranet and external websites.

**Required notice content would include:**

- The AI developer, vendor, and product name;
- The employment decision(s) affected by the AI tool (e.g., recruitment, hiring, discipline);
- The purpose of the AI system and categories of employee data collected or processed;
- The job positions for which the AI tool is used;
- A contact person for employee inquiries; and
- Information regarding the right to request reasonable accommodation.

Notices must be written in plain language, available in languages commonly spoken by the workforce, and reasonably accessible to individuals with disabilities.

The proposed rules also clarify that compliance with the AI notice requirements does not relieve employers of any collective bargaining obligations or other obligations under applicable federal, state, or local law.

## **Employer Takeaway**

Because these [proposed rules](#) would impose significant notice, posting, record retention, and disclosure obligations on employers using AI tools in employment-related decisions, Illinois employers should review the proposed rules carefully and consider submitting comments to IDHR before the June 29, 2026, deadline.

For further guidance or assistance, please contact Kilpatrick's [Labor & Employment Team](#).

## **Related People**

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