

Illinois Child Bereavement Leave Act

On July 29th, 2016, the State of Illinois passed a law which allows employees to take a maximum of 2 weeks (10 work days) of unpaid leave following the death of a child. **This law went into effect immediately.**

Who is Eligible?

The eligibility requirements for this leave are the same as the FMLA. This means that in order to be eligible, **an employee must work for an employer with 50 or more employees and the employee must have worked 1,250 hours during the prior 12 month period.**

This leave is not taken in addition to FMLA, and therefore an employee is still only permitted to take a total 12 weeks of leave within a 12 month period. Employees can choose to use paid time off (if it is provided to them) while they are on this bereavement leave however employers are not allowed to require employees use paid time off.

What else do I need to know?

Employees must take this leave within 60 days after being notified of the death of a child and must provide employers with at least 48 hours' advance notice when requesting to take this leave, unless it is not practicable. The leave can be used to attend or arrange for a funeral, to make arrangements necessitated by the death of a child, and to grieve the death of the child.



While this new law may not significantly impact your leave of absence policies, it is important to make sure employees are aware of their rights under this law so that they can request time off without fear of consequences.

If you have any questions about how to implement this law or how to update your policies, please reach out to your HR Account Manager.