

Illinois Expands State Human Rights Act to Include Employers with One or More Employees

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An amendment to the Illinois Human Rights Act (IHRA) expands the definition of “employer” from employers with at least 15 employees to those with one or more employees.

The legislation, House Bill 252, was signed by Governor J.B. Pritzker on August 21, 2019, and enacted as Illinois [Public Act 101-0430](#). The new law will become effective on July 1, 2020.

Previously, the IHRA only applied to businesses with 15 or more employees, except in cases of sexual harassment, pregnancy discrimination, and disability discrimination, where the definition is one or more employees. The IHRA also prohibits a “person,” a term that can include employers with fewer than 15 employees, from retaliating against individuals who file sexual harassment or discrimination charges. That provision of the IHRA was not amended.

The new definition of “employer” means that small businesses in Illinois may be subject to race, national origin, gender, sexual orientation, religion, and age discrimination claims and other claims that currently may be brought only against employers with 15 or more employees. Larger, multistate businesses that employ one or more Illinois workers also become Illinois employers covered by the new definition.

Employers included in the expanded definition of “employer” may need to review their personnel procedures, employee handbooks, and training materials to ensure they comply with the IHRA.

Smaller employers also should be aware that after July 1, 2020, they will be subject to many of the new obligations imposed by Public Act 101-0221 (P.A. 101-0221), formerly known as Senate Bill 75, including the Workplace Transparency Act and significant amendments to the IHRA. For more information regarding P.A. 101-0221, see our article, [Illinois Enacts Workplace Harassment Law, Creating New and Expanded Obligations for Employers](#).

Jackson Lewis attorneys are available to answer questions regarding the IHRA and to help employers comply with its requirements.

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