

AN ACT concerning courts.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Jury Act is amended by changing Section 4.1 as follows:

(705 ILCS 305/4.1) (from Ch. 78, par. 4.1)

Sec. 4.1. Jury duty; notice to employer; right to time off.

(a) Any person who is not legally disqualified to serve on juries, and has been duly summoned for jury duty for either petit or grand jury service, shall be given time off from employment to serve upon the jury for which such employee is summoned, regardless of the employment shift such employee is assigned to at the time of service of such summons. An employee shall give his employer reasonable notice of required jury service. An employer may not deny an employee time off for jury duty because such employee is then assigned to work a night shift of employment, that is, an employer cannot require a night shift worker to work while such employee is doing jury duty in the daytime.

(b) No employer shall discharge, threaten to discharge, intimidate or coerce any employee by reason of the employee's jury service, or the attendance or scheduled attendance in

connection with such service, in any court of this State.

(c) If an employee gives reasonable notice of required jury service, any employer who violates the provisions of this Section:

(1) may be charged with contempt of court. In such an event, the State's Attorney shall file a petition for civil contempt, criminal contempt, or both, against the employer to be prosecuted by the State's Attorney; and

(2) shall be liable for damages for any loss of wages or other benefits suffered by an employee by reason of the violation; and

(3) may be enjoined from further violations of this Section and ordered to reinstate any employee discharged by reason of jury service.

As used in this Section, "reasonable notice of required jury service" means that the employee summoned for jury duty must deliver to the employer a copy of the summons within 10 days of the date of issuance of the summons to the employee.

(d) Any individual who is reinstated to a position of employment in accordance with this Section shall be considered as having been on furlough or leave of absence during his period of jury service, shall be reinstated to his position of employment without loss of seniority, and shall be entitled to participate in insurance or other benefits offered by the employer under established rules and practices relating to employees on furlough or leave of absence in effect with the

employer at the time the individual entered upon jury service.

(e) In any action or proceeding under this Section, the court may award a prevailing employee who brings the action by retained counsel a reasonable attorney's fee.

(f) Any right or remedy provided in this Section is in addition to any right or remedy otherwise provided by law to an employee.

(g) Employers shall be required to compensate an employee at their regular rate of pay for time serving on jury duty ~~No employer shall be obligated to compensate an employee for time taken off for jury duty.~~ The requirements of this subsection do not apply to employers with 25 or fewer employees.

(h) The official responsible for issuing the summons may advise the juror of his rights under this Act by printed insert with the summons or on the summons itself.

(Source: P.A. 86-1395; 87-616.)

Section 10. The Jury Commission Act is amended by changing Section 10.1 as follows:

(705 ILCS 310/10.1) (from Ch. 78, par. 33.1)

Sec. 10.1. Jury duty, notice to employer, right to time off. (a) Any person who is not legally disqualified to serve on juries, and has been duly summoned for jury duty for either petit or grand jury service, shall be given time off from employment to serve upon the jury for which such employee is

summoned, regardless of the employment shift such employee is assigned to at the time of service of such summons. An employee shall give his employer reasonable notice of required jury service. An employer may not deny an employee time off for jury duty because such employee is then assigned to work a night shift of employment, that is, an employer cannot require a night shift worker to work while such employee is doing jury duty in the daytime.

(b) No employer shall discharge, threaten to discharge, intimidate or coerce any employee by reason of the employee's jury service, or the attendance or scheduled attendance in connection with such service, in any court of this State.

(c) If an employee gives reasonable notice of required jury service, any employer who violates the provisions of this Section:

(1) may be charged with contempt of court. In such an event, the State's Attorney shall file a petition for civil contempt, criminal contempt, or both, against the employer to be prosecuted by the State's Attorney; and

(2) shall be liable for damages for any loss of wages or other benefits suffered by an employee by reason of the violation; and

(3) may be enjoined from further violations of this Section and ordered to reinstate any employee discharged by reason of jury service.

As used in this Section, "reasonable notice of required

jury service" means that the employee summoned for jury duty must deliver to the employer a copy of the summons within 10 days of the date of issuance of the summons to the employee.

(d) Any individual who is reinstated to a position of employment in accordance with this Section shall be considered as having been on furlough or leave of absence during his period of jury service, shall be reinstated to his position of employment without loss of seniority, and shall be entitled to participate in insurance or other benefits offered by the employer under established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time the individual entered upon jury service.

(e) In any action or proceeding under this Section, the court may award a prevailing employee who brings the action by retained counsel a reasonable attorney's fee.

(f) Any right or remedy provided in this Section is in addition to any right or remedy otherwise provided by law to an employee.

(g) Employers are required to compensate employees at the employee's regular rate of pay for time that the employee served on jury duty ~~No employer shall be obligated to compensate an employee for time taken off for jury duty. The requirements of this subsection do not apply to employers with 25 or fewer employees.~~

(h) The official responsible for issuing the summons may advise the juror of his rights under this Act by printed insert

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with the summons or on the summons itself.

(Source: P.A. 86-1395; 87-616.)