

AN ACT concerning employment.

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

Section 1. Short title. This Act may be cited as the
Whistleblower Act.

Section 5. Definitions. As used in this Act:

"Employer" means: an individual, sole proprietorship,
partnership, firm, corporation, association, and any other
entity that has one or more employees in this State, except
that "employer" does not include any governmental entity.

"Employee" means any individual who is employed on a
full-time, part-time, or contractual basis by an employer.

Section 10. Certain policies prohibited. An employer may
not make, adopt, or enforce any rule, regulation, or policy
preventing an employee from disclosing information to a
government or law enforcement agency if the employee has
reasonable cause to believe that the information discloses a
violation of a State or federal law, rule, or regulation.

Section 15. Retaliation for certain disclosures
prohibited. An employer may not retaliate against an employee
for disclosing information to a government or law enforcement
agency, where the employee has reasonable cause to believe
that the information discloses a violation of a State or
federal law, rule, or regulation.

Section 20. Retaliation for certain refusals prohibited.
An employer may not retaliate against an employee for
refusing to participate in an activity that would result in a
violation of a State or federal law, rule, or regulation.

Section 25. Civil penalty. Violation of this Act is a Class A misdemeanor.

Section 30. Damages. If an employer takes any action against an employee in violation of Section 15 or 20, the employee may bring a civil action against the employer for all relief necessary to make the employee whole, including but not limited to the following, as appropriate:

- (1) reinstatement with the same seniority status that the employee would have had, but for the violation;
- (2) back pay, with interest; and
- (3) compensation for any damages sustained as a result of the violation, including litigation costs, expert witness fees, and reasonable attorney's fees.

Section 35. Exception. This Act does not apply to disclosures that would constitute a violation of the attorney-client privilege.