

ILLINOIS DEPARTMENT OF LABOR

STATE OF ILLINOIS

ILLINOIS EQUAL PAY ACT OF 2003

820 ILCS 112/50

Fiscal Year 2023 Annual Report

Administration and Enforcement Activities

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Director

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I. INTRODUCTION

The Illinois Equal Pay Act of 2003 (820 ILCS 112/1-90) (the Act) prohibits employers from paying unequal wages to men and women doing the same or substantially similar work, requiring equal skill, effort, responsibility and under similar working conditions; unless such wage difference is based upon a seniority system, merit system, a system measuring earnings by quantity or quality of production or factors other than gender. The Act was expanded in 2019 to include protections for African American employees. It specifically prohibits paying African American employees a wage less than an employee that is not an African American. In 2019, the Act was also further expanded to prohibit employers and employment agencies from inquiring about applicants' past wage and compensation histories or using such information to screen candidates for a job. The Act was again significantly amended in 2021 to require employers with 100 or more employees to obtain an Equal Pay Registration Certificate (EPRC). The Act requires employers to provide information about its workers and their pay.

The state law expands the federal Equal Pay Act of 1963 (29 U.S. Code Chapter 8 § 206(d)) by covering more workers, providing better enforcement mechanisms, and improving public awareness.

II. ADMINISTRATION

The Illinois Department of Labor (IDOL) Conciliation and Mediation (ConMed) Division administers and enforces the Act and conducts outreach and education efforts regarding the law. Robert Parrilli is the division manager. Section 50 of the Act requires IDOL to produce an annual report of its activities regarding administration and enforcement for the preceding fiscal year. The report is filed with the Governor and General Assembly no later than January 1st of each year. This report highlights IDOL activities for fiscal year 2023.

III. ENFORCEMENT

The Act provides wage protections to employees across the state. In Fiscal Year 2023, IDOL received **34** new equal pay complaints. A total of **6** new complaints were within the Chicago area and **28** new complaints were outside of Chicago.

The total ConMed Division Equal Pay complaints open for investigation is **30**, which includes a rollover of complaints from the previous fiscal year. There were no back wages paid due to administrative enforcement. However, the Division collected **\$1,000** in penalties.

The initial reporting period for the Equal Pay Registration Certificate, Section 11 of the Act, will be complete on March 23, 2024. The statute provides for a staggered two-year reporting period for all private businesses in the state with over 100 employees. In fiscal year 2023, 793 submissions were approved, 62 submissions were denied.

This year the ConMed Division also created and implemented enforcement procedures for businesses that have not complied with the registration process. The Division developed a Notices of Delinquency and Notices of Violation for businesses that have not complied with their registration obligations. The Division anticipates that the bulk of registrations will take place in FY24.

EQUAL PAY REGISTRATION CERTIFICATE:

Approved Submissions: **793**

Denied Submissions: **62**

Requests for Data: **9**

COMPLAINTS:

New Complaints Received: **34**

Complaints Still Under Investigation: **30**

WAGES RECOVERED FOR WORKERS:

Wages Collected by IDOL: **\$0**

Wages Paid from Private Settlements: **\$0**

Total Wages Paid to Complainants: **\$0**

PENALTIES RECOVERED:

Penalties Collected by IDOL: **\$1,000**

Additionally, IDOL dismissed **17** cases in 2023 for the following reasons:

- (1) No Equal Pay Act violation found after IDOL investigation: **4**
- (2) Complaint did not concern wage discrimination based on gender or African American wage discrimination or salary ban complaint issues: **6**
- (3) Incomplete complaint: **0**
- (4) Complainant withdrew claim: **4**

- (5) Complaint was privately settled: **0**
- (6) Complaint was Paid through IDOL: **3**
- (7) Complaint was a duplicate of a previous case: **0**
- (8) Complaint was filed in Cook County Circuit Court: **0**
- (9) Complainant did not respond: **0**

IV. OUTREACH AND PUBLIC AWARENESS
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The Department continues to conduct monthly training sessions for qualified employers seeking to understand the Equal Pay Registration certificate reporting process.

In 2023 the Department also finished an eighteen-montha Fostering Access Rights and Equity (FARE) grant from the US Department of Labor Women’s Bureau. In this grant period, IDOL partnered with Women Employed and statewide partners, Arise Chicago, Man-Tra-Con Corporation, Shriver Center on Poverty Law and the YWCA Quad Cities to raise awareness of equal pay rights among low-wage women workers across the State. The grant period ended on June 30, 2023. As a result of the grant, we were able to reach 17,426 women across the state via social media, webinars, and outreach events.