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JB Pritzker, Governor



NEWS

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Expanded Bereavement Leave Rights Take Effect Jan. 1

New rights include time off to grieve family members, for pregnancy and adoption-related loss

SPRINGFIELD – The Family Bereavement Leave Act will go into effect on January 1, 2023, expanding unpaid leave rights for employees across the State. As the New Year approaches, employers should be aware of the new requirements under the Act.

The Family Bereavement Leave Act (FBLA) is an amendment to the Child Bereavement Leave Act (CBLA) that expands leave time requirements to cover pregnancy loss, failed adoptions or surrogacy agreements, unsuccessful reproductive procedures, and other diagnoses or events negatively impacting pregnancy or fertility. The FBLA also requires employers to provide leave time after the loss of family members previously not covered by the CBLA, including spouses, domestic partners, siblings, grandparents, and stepparents.

Employees may take up to two weeks, or 10 working days, of unpaid leave time for any of the events covered by the FBLA to grieve, to attend a funeral, or to make arrangements necessitated by the death of the family member.

Employers may require reasonable documentation to certify that an employee requesting FBLA leave experienced an event covered by the Act, but employees are not required to identify the specific event that qualifies them for the leave. Reasonable documentation includes death certificates, published obituaries, and documentation from an adoption or surrogacy organization. A [Bereavement Leave form](#) is available on the Department’s website that may be used as reasonable documentation.

“Workers who experience the death of a loved one or other kinds of loss such as a miscarriage or a failed adoption should be able to grieve without the fear of losing their job,” **said Illinois Department of Labor Acting Director Jane Flanagan.** “The Family Bereavement Leave Act ensures that those workers will be afforded time off from work to process that grief.”

All employers and employees subject to the federal Family and Medical Leave Act (FMLA) are subject to the FBLA.

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