

## **Illinois's "One Day Rest in Seven Act" (ODRISA) goes into effect January 1, 2023. What Employers should know:**

On January 1, 2023, employers will be required to provide applicable employees with additional rest periods. Previously, the law required employers to give a minimum 24 consecutive hours of rest to an employee in a *calendar* week. The new law requires employers to give that rest period for every consecutive seven-day period. For example, if any employee works Wednesday-Monday, they must get a 24-hour rest period on Tuesday, or otherwise within the 7-day Wednesday-Tuesday period if expected to work on Tuesday. This is the case even though their work is spread out over two calendar weeks. Employers should be mindful of the change for employees who work non-traditional schedules.

The change also impacts meal breaks. Currently, employees receive a 20-minute meal period for every 7.5-hour shift, to be taken no later than 5 hours after the start of the shift. With the change to ODRISA, employees who work in excess of 7.5 continuous hours get an additional 20-minute meal break for each additional 4.5 hours worked. Employers who have 12-hour shift employees should take note of this change.

There is a posting requirement related to this rule, and copies of the information required to be posted on these rules is available free of charge from the Illinois Department of Labor.

Note, some types of employees are exempt, while others may be subject to greater protections under the rule. To find out more about the application of this law and how it applies to your business, the employment team at Fox Smith, LLC stands ready to assist you!

## **Illinois's Family Bereavement Act amendment goes into effect January 1, 2023. What Employer should know:**

Starting January 1, 2023, Illinois employees are entitled to additional bereavement leave related to family planning. Employees may take up to 10 days of unpaid leave for not only funerals of covered family members, but also miscarriages, an unsuccessful intrauterine insemination (IUI) or assisted reproduction technology procedure, failed adoption (either a match or one that is not finalized due to being contested), a failed surrogacy agreement, a diagnosis negatively impacting pregnancy or fertility, or stillbirth. This leave must be taken within 60 days with 48 hours' notice given, unless unreasonable or not practicable to give notice. Employees that need bereavement leave for 2 covered family members may take up to 6 weeks of leave, but may not exceed the time allowed by the Family Medical Leave Act.

Employers may still require reasonable documentation, but an employee may not be required to specify the leave sought. For help navigating compliance with leave requests in the new year, let the employment team at Fox Smith, LLC be your guide and provide you with peace of mind.