

ILLINOIS DEPARTMENT OF LABOR

# STATE OF ILLINOIS

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## ILLINOIS EQUAL PAY ACT OF 2003

820 ILCS 112/50

**Fiscal Year 2021 Annual Report  
Administration and Enforcement Activities**

JB Pritzker  
Governor

Michael D. Kleinik  
Director



## 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. The Act was further expanded in 2019 prohibiting employers and employment agencies from inquiring about applicants' past wage and compensation histories or using such information to screen candidates for a job.

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 1<sup>st</sup> of each year. This report highlights IDOL activities for fiscal year 2021.

## III. ENFORCEMENT

The Act provides wage protections to employees across the state. In 2021, IDOL received **27** new equal pay complaints.

The total ConMed Division Equal Pay complaints open for investigation is **13**, which includes a rollover of complaints from the previous fiscal year. The total amount of back wages paid due to administrative enforcement was **\$8,827**. The Division also collected **\$3,277** in penalties resulting from administrative enforcement.

**COMPLAINTS:**

New Complaints Received: **27**

Complaints Still Under Investigation: **13**

**WAGES RECOVERED FOR WORKERS:**

Wages Collected by IDOL: **\$8,827**

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

Total Wages Paid to Complainants: **\$8,827**

**PENALTIES RECOVERED:**

Penalties Collected by IDOL: **\$3,277**

Additionally, IDOL dismissed **16** cases in 2021 for the following reasons:

- (1) No Equal Pay Act violation found after IDOL investigation: **7**
- (2) Complaint did not concern wage discrimination based on gender or African American wage discrimination or salary ban complaint issues: **3**
- (3) Incomplete complaint: **0**
- (4) Complainant withdrew claim: **0**
- (5) Complaint was privately settled: **1**
- (6) Complaint was Paid through IDOL: **1**
- (7) Complaint was a duplicate of a previous case: **2**
- (8) Complaint was filed in Cook County Circuit Court: **1**
- (9) Complainant did not respond: **1**

<b>IV. OUTREACH AND PUBLIC AWARENESS</b>
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Due to the COVID-19 pandemic, the ability to perform outreach and increase public awareness were limited during 2021. In 2022, the department will begin enforcing two laws passed in FY21, PA 101-656 and PA 102-36, which requires employers with 100 or more employees to provide the Illinois Department of Labor (IDOL) with details about its workers and their pay.