

Illinois Human Rights Act Now Includes Work Authorization Status Protection

Elizabeth Przybysz
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On August 2, 2021, Illinois **added a provision** to the Illinois Human Rights Act (IHRA) making it “a civil rights violation for employers, employment agencies, and labor organizations to discriminate against an employee or job applicant based on their federally authorized work status. This means that any person legally authorized to work in the United States, regardless of the length of their work authorization, is protected by the Illinois Human Rights Act.” According to **House Bill 0121**, which is effective immediately, “work authorization status” means “the status of being a person born outside of the United States, and not a U.S. citizen, who is authorized by the federal government to work in the United States.” The Illinois Department of Human Rights has stated “this change in law aligns protections in the Illinois Human Rights Act with those already in federal law.” The House Bill’s Declaration of Policy states that the purpose of this regulation is “to prevent discrimination based on the specific status or term of status that accompanies a legal work authorization.” As such, work authorization status is now a protected characteristic in Illinois.

Because this amendment to the IHRA took effect immediately, Illinois employers should review their current policies and practices in order to comply with this recent amendment.

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