

Illinois Human Rights Act

Under the Illinois Human Rights Act (IHRA), it's illegal to subject people to differential treatment based on race, color, religion, sex, national origin, ancestry, citizenship status (with regard to employment), age (40 and over), marital status, familial status (with regard to housing), arrest record, physical or mental disability, military status, sexual orientation or unfavorable discharge from military service.

The IHRA prohibits unlawful discrimination in employment, real estate transactions, financial credit, public accommodations and sexual harassment in higher education.

Employers can't discriminate against any member of the protected classes listed above in hiring, compensation or the terms, conditions or privileges of employment.

The law is Illinois' version of the federal Civil Rights Act, Age Discrimination in Employment Act and the ADA all rolled into one. Like federal anti-discrimination laws, the IHRA covers employers with 15 or more employees.

An employee alleging discrimination under the IHRA may file complaints with the Illinois Department of Human Rights (IDHR), which will attempt to mediate the dispute. If the parties choose not to participate or mediation is unsuccessful, the IDHR will investigate the claim.

If the IDHR finds substantial evidence of a violation, it will attempt to conciliate the dispute. If conciliation fails, the case goes before the Illinois Human Rights Commission for a ruling. Either party can appeal the decision to the State Appellate Court.

Tip: Although legal representation isn't necessary during the investigation stage, it's advisable to consult an attorney.

You can find more information about the law on the IDHR site: www.state.il.us/dhr/.

*Excerpted from Illinois' 10 Most Critical Employment Laws, a special bonus report available to subscribers of HR Specialist: **Illinois Employment Law**.*