

Family Bereavement Leave Act

Eligible employees of all public employers and private employers with 50 or more employees are entitled to a maximum of 2 weeks (10 workdays) of unpaid leave time in the event of:

- the death of a “covered family member”;
- a stillbirth;
- a miscarriage;
- an unsuccessful reproductive procedure;
- a failed adoption match or an adoption that is not finalized because it is contested;
- a failed surrogacy agreement; or
- a diagnosis that negatively impacts pregnancy or fertility.

A “covered family member” is an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent.

Employees are entitled to a maximum of 6 weeks of leave if they experience more than one event during a 12-month period.

Employees may use FBLA leave time to:

1. grieve;
2. attend the funeral or alternative to a funeral of a covered family member; or
3. make arrangements necessitated by the death of the covered family member.

FBLA leave time must be completed within 60 days after the date the employee receives notice of the event. Employees must give their employer at least 48 hours’ notice before taking FBLA leave, unless not reasonable or practicable.

Reasonable Documentation of Leave

Employers may require an employee to provide reasonable documentation for FBLA leave. Documentation may include a death certificate or published obituary.

For leave following a loss or negative diagnosis related to pregnancy, surrogacy, or adoption, employers are not allowed to require an employee to disclose the specific event that qualifies the employee for the leave. Documentation may be provided by a health care practitioner, or an

adoption or surrogacy organization, or on the FBLA form available on IDOL's website; view the form here: **FBLA Leave Documentation Form**.

Coverage

All employers covered by the federal Family and Medical Leave Act (29 U.S.C. 2601 et seq.) must comply with the leave time requirements of the FBLA.

An employee of a covered employer is eligible for FBLA leave if they have worked at least 1,250 hours of service with the employer during the prior 12-month period.

FBLA leave may not be taken in addition to unpaid leave permitted under the Family and Medical Leave Act (FMLA), 29 U.S.C. 2601 et seq., and may not exceed unpaid leave time allowed under the FMLA. However, nothing prohibits an employer from allowing employees additional leave time in addition to FMLA.

Note on the Child Bereavement Leave Act: Beginning on January 1, 2023, the Child Bereavement Leave Act (CBLA) will be known as the Family Bereavement Leave Act. For information about the CBLA, visit the **Child Bereavement Leave Act webpage**.

Contact Number

- Hotline: (312) 793-6797

Forms/Links

- **See the law, 820 ILCS 154 (Legislative Website)**
- **Administrative Code, 56 Ill. Adm. Code 252 (Legislative Website)**
- **FBLA Complaint Form**
- **FBLA Leave Documentation Form**
- **Child Bereavement Leave Act (eff. 2016-2022, replaced by the FBLA eff. 2023)**
- **FAQs**

Note: You need Adobe Acrobat or Internet Explorer to open the Complaint Form. To download the Complaint Form, right click and select 'Save link as'; open the form in Adobe Acrobat or Internet Explorer. You will not be able to open the form with a web browser (such as Chrome or Firefox).