



A Professional Corporation
140 South Dearborn Street, Suite 600
Chicago, IL 60603
www.ancelglink.com

Erin M. Monforti
emonforti@ancelglink.com
(P) 312.604.9162
(F) 312.782.0943

MEMORANDUM

To: Monica Harris, Executive Director
Reaching Across Illinois Library System

From: Erin M. Monforti
Rachel L. Stempler
Kurt S. Asprooth

Subject: New Legislation Regarding Compensation for Jury Duty Service

Date: August 7, 2026

On July 31, 2026, Governor Pritzker signed Public Act 104-0683 (the *Act*) into law, following its approval by both chambers of the Illinois General Assembly this spring. The Act amends the Jury Act¹ and the Jury Commission Act² to require employers with more than 25 employees to compensate employees at their regular rate of pay for time serving on jury duty. The Act will become effective on January 1, 2027.

This memo provides an overview of the Act and answers questions that we anticipate will be raised by members of the Reaching Across Illinois Library System (*RAILS*) as they evaluate the Act and options for complying with its requirements.

A. Summary of Public Act 104-0683 & Employer Requirements for Jury Duty.

As noted above, the Act requires employers with more than 25 employees to compensate an employee at their regular rate of pay for time serving on jury duty.³ The Act specifically exempts employers with 25 or fewer employees from this requirement.⁴

While the Act only amended provisions related to compensation, there are other key provisions of the Jury Act and Jury Commission Act that may be helpful for RAILS members to review. The first relates to notice employees must provide their employer when called to serve on jury duty. Both statutes require employees to provide their employer with “reasonable notice” of their jury service.⁵ “Reasonable notice” under the law means that “the employee summoned for jury

¹ 705 ILCS 305/1, *et seq.*

² 705 ILCS 310/1, *et seq.*

³ See Public Act 104-0683 (codified as 705 ILCS 305/4.1(g); 705 ILCS 310/10.1(g)).

⁴ See *id.*

⁵ 705 ILCS 305/4.1(a); 705 ILCS 310/10.1(a).

duty must deliver to the employer a copy of the summons within 10 days of the date of issuance of the summons to the employee.”⁶

The statutes also clarify the status of employees returning to work following leave for jury duty. Employers must consider returning employees as “having been on furlough or leave of absence during [their] period of jury service.”⁷ Employees returning from jury duty must also be “reinstated to [their] position of employment without loss of seniority” and must be “entitled to participate in insurance or other benefits offered by the employer.”⁸ The employee is only entitled to benefits offered by the employer under the employer’s established rules and practices for employees on furlough or leave of absence that were in effect at the time the employee began their jury service.⁹

B. Questions & Answers

1. Does the Act apply to all libraries in Illinois?

The Act’s requirement that an employer compensate an employee serving on jury duty at their regular rate of pay only applies to libraries with more than 25 employees. Otherwise, the provisions of the statutes regarding notice, reinstatement, and other requirements for jury service apply to all libraries in Illinois regardless of the library’s number of employees.

2. Can a library deny paid leave to an employee who fails to provide “reasonable notice” as required by the Act?

No. The “reasonable notice” requirement does not permit employers to deny leave to an employee who fails to timely provide a copy of the jury summons to the employer as provided by statute. Similarly, reasonable notice is not a prerequisite for compensating employees for jury duty service as provided in the Act. Instead, the “reasonable notice” requirement provides a defense to avoid statutory penalties for alleged violations of the Jury Act and Jury Commission Act.

3. How can a library ensure it is complying with the Act?

We recommend libraries review their personnel policies to evaluate compliance with the Act and other statutory requirements related to employee jury duty service. Libraries with 26 or more employees should take care to review any paid leave provisions relating to jury duty to ensure policies align with the Act. For example, libraries meeting the 26-employee threshold for paid jury service should remove policy provisions suggesting a limit on paid leave, as the Act does not specify a time limit for compensation required under the Act (i.e., pay cannot be limited to a specified number of days or weeks that an employee is away from work to serve on a jury).

⁶ 705 ILCS 305/4.1(c); 705 ILCS 310/10.1(c).

⁷ 705 ILCS 305/4.1(d); 705 ILCS 310/10.1(d).

⁸ *Id.*

⁹ *See id.* (emphasis added).

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Smaller libraries with 25 or fewer employees are exempt from the compensation requirement under the Act, and therefore have more flexibility in establishing the rate and duration of compensation for jury service, if any is provided.

Additionally, we recommend that all libraries (regardless of size) ensure that employees who are reinstated following jury duty are classified as having been on furlough or leave of absence without loss of seniority, and are entitled to the insurance and other benefits offered to employees on furlough or leave of absence by the employer at the time the employee began their jury service.

As always, we recommend libraries consult with their attorneys to ensure their jury duty policies comply with the Act and other statutory provisions governing jury duty service.