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JANE R. FLANAGAN
DIRECTOR

News Release

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Contact:

Paul Cicchini 217-785-1719

DOL.PIO@Illinois.gov

Illinois Family Neonatal Intensive Care Leave Act Takes Effect June 1

Eligible employees get unpaid, job-protected leave when a newborn is admitted to a NICU

SPRINGFIELD – The Illinois Department of Labor (IDOL) is reminding employers and workers that the Family Neonatal Intensive Care Leave Act ([PA 104-259v](#)) took effect June 1, 2026.

The law provides eligible employees with unpaid, job-protected leave when their child is admitted to a neonatal intensive care unit (NICU).

Under the law:

- Employers with 16 to 50 employees must provide up to 10 days of unpaid leave.
- Employers with 51 or more employees must provide up to 20 days of unpaid leave.
- Leave may be taken continuously or intermittently.
- Employees must be restored to the same or equivalent position after returning from leave.
- Employers must maintain an employee's health insurance benefits while they are on leave.

The leave is in addition to leave available under the federal [Family and Medical Leave Act](#) (FMLA). Employers cannot require workers to use paid leave instead of leave provided under the Act, though employees may choose to do so.

“Families facing a medical crisis involving a newborn should not have to choose between caring for their child and keeping their job,” **said Illinois Department of Labor Director Jane Flanagan**. “This law provides important workplace protections during an incredibly difficult time.”

More information about the Family Neonatal Intensive Care Leave Act is available on the [Illinois Department of Labor website](#).

If individuals have questions about the Act, please contact the Leave Rights Division at (312) 793-2600 or DOL.LeaveRights@illinois.gov.

Lincoln Tower Plaza
524 South 2nd Street, Suite 400
Springfield, Illinois 62701
(217) 782-6206
Fax: (217) 782-0596

Jesse White State of Illinois Building
115 South LaSalle Street, 37th floor
Chicago, Illinois 60603
(312) 793-2800
Fax: (312) 793-5257

Regional Office Building
2309 West Main Street, Suite 115
Marion, Illinois 62959
(618) 993-7090
Fax: (618) 993-7258