



Illinois Department of Labor
Conciliation and Mediation Division
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Family Bereavement Leave Act 10(a)(4) Leave Form

FAMILY BEREAVEMENT LEAVE ACT (820 ILCS 154)

10(a)(4) LEAVE FORM

Section 10(a)(4) of the Family Bereavement Leave Act (820 ILCS 154/10(a)(4)) provides eligible employees up to 10 days of unpaid leave time for events related to pregnancy, adoption, and surrogacy. An employer may request reasonable documentation certifying that the employee, the employee's spouse or domestic partner, or the employee's surrogate experienced an event that qualifies for leave under Section 10(a)(4) of the Act; however, an employer *may not* require the employee to identify which category of event the leave pertains to as a condition of exercising rights under the Act. In accordance with 820 ILCS 154/10(d), this form is provided by the Illinois Department of Labor for documentation of 10(a)(4) bereavement leave.

Employee Information (*This section to be completed by employee*)

Employee Name: _____

Employer Name: _____

This form is to serve as certification for (*check one*):

- Myself
 My Spouse / Domestic Partner / Surrogate

CERTIFICATION

Instructions: This section is to be filled out by a health care practitioner or a representative from an adoption or surrogacy organization. Please *do not* indicate which event the individual has experienced.

Certification For: _____
(Name of Individual)

I, the undersigned, am (*check one*):

- A health care practitioner; I treated the above-named individual for a qualifying event under Section 10(a)(4).
 A representative from an adoption or surrogacy organization; I worked with the above-named individual related to a qualifying event under Section 10(a)(4).

I certify that the above-named individual experienced a qualifying event under Section 10(a)(4) of the Family Bereavement Leave Act ([Public Act 102-1050](#)).¹

Date Qualifying Event Began: _____ / _____ / _____
Month Day Year *(If exact date is unknown, provide approximate date based on your professional opinion)*

Signature of Health Care Practitioner /Representative from Adoption or
Surrogacy Organization

_____ Date

Printed Name

Entity/Organization Name

¹ The following events qualify for bereavement leave under 820 ILCS 154/10(a)(4): (i) miscarriage, (ii) unsuccessful intrauterine insemination or assisted reproductive technology procedure; (iii) failed adoption match or adoption not finalized because it is contested; (iv) failed surrogacy agreement; (v) a diagnosis that negatively impacts pregnancy or fertility; or (vi) stillbirth.



<http://labor.illinois.gov>

JB Pritzker, Governor

NEWS

Jane R. Flanagan, Acting Director

FOR IMMEDIATE RELEASE

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Expanded Bereavement Leave Rights Take Effect Jan. 1

New rights include time off to grieve family members, for pregnancy and adoption-related loss

SPRINGFIELD – The Family Bereavement Leave Act will go into effect on January 1, 2023, expanding unpaid leave rights for employees across the State. As the New Year approaches, employers should be aware of the new requirements under the Act.

The Family Bereavement Leave Act (FBLA) is an amendment to the Child Bereavement Leave Act (CBLA) that expands leave time requirements to cover pregnancy loss, failed adoptions or surrogacy agreements, unsuccessful reproductive procedures, and other diagnoses or events negatively impacting pregnancy or fertility. The FBLA also requires employers to provide leave time after the loss of family members previously not covered by the CBLA, including spouses, domestic partners, siblings, grandparents, and stepparents.

Employees may take up to two weeks, or 10 working days, of unpaid leave time for any of the events covered by the FBLA to grieve, to attend a funeral, or to make arrangements necessitated by the death of the family member.

Employers may require reasonable documentation to certify that an employee requesting FBLA leave experienced an event covered by the Act, but employees are not required to identify the specific event that qualifies them for the leave. Reasonable documentation includes death certificates, published obituaries, and documentation from an adoption or surrogacy organization. A [Bereavement Leave form](#) is available on the Department's website that may be used as reasonable documentation.

“Workers who experience the death of a loved one or other kinds of loss such as a miscarriage or a failed adoption should be able to grieve without the fear of losing their job,” **said Illinois Department of Labor Acting Director Jane Flanagan.** “The Family Bereavement Leave Act ensures that those workers will be afforded time off from work to process that grief.”

All employers and employees subject to the federal Family and Medical Leave Act (FMLA) are subject to the FBLA.