

Cook County Employers Prohibited from Making Employment-Related Decisions Based on Credit History

Insights for Employers Alert | 1 min read

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On May 20, 2015, the Cook County Board of Commissioners unanimously passed an amendment to the county's Human Rights Ordinance. The amendment adds credit history to a list of factors an employer may not consider in making employment decisions such as hiring, firing, promotion and compensation. Specifically, the amendment prohibits employers from inquiring about an employee or job applicant's credit history, subject to limited exceptions, and restricts an employer's ability to obtain credit reports from consumer reporting agencies as part of the hiring process. The Cook County Commission on Human Rights has been authorized to investigate suspected violations and impose penalties on noncompliant employers.

The amendment, which is scheduled to take effect on June 1, 2015, mirrors the Illinois Employee Credit Privacy Act, which restricts covered employers' ability to obtain and/or use an employee or applicant's credit history or credit report in making employment decisions. In addition to these state and local laws, employers must also consider the federal Fair Credit Reporting Act, which similarly regulates an employer's right to obtain and use a consumer report from a third party consumer reporting agency.

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