

Illinois Employers Now Required to Permit Use of Company Devices for Recording Crimes of Violence

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The Illinois Victims' Economic Security and Safety Act (VESSA) provides leave benefits for victims of violent crime, including domestic, sexual, and gender violence. Under the law, leave is also available to employees whose family or household members are victims of crimes of violence, and it applies to all Illinois employers.

What Did the Amendment Change?

The law was amended on August 15, 2025, to allow crime victims' use of and access to employer-owned equipment to record crimes of violence committed against employees or their family or household members. Employers cannot take any adverse action against employee-victims related to this use of their equipment.

While unstated in the text, the goal of the amendment is to provide more tools other than leave to support employees or their family or household members who are victims of violent crimes. For instance, photographs, videos, or other data stored on an employer's electronic equipment may be valuable to a victim's criminal or civil litigation.

What are the New Obligations for Illinois Employers?

- Employers must also allow employee-crime victims access to photographs, voice or video recordings, sound recordings, and any other digital document or communication stored on the employer's equipment.
- Employers are prohibited from taking any adverse action against employees based on their permitted use.
- Employers cannot take away employees' access to equipment because they exercised or attempted to exercise their rights under the amended law.
- Employers are still required to comply with any investigation, court order, or subpoenas seeking their equipment, data, and documents that may be relevant or responsive to the orders or subpoenas.

The amendment further provides that employee-victims must abide by the employer’s “reasonable employment policies,” and continue to perform the essential duties of their jobs. The amendment does not define “reasonable employment policies,” though by context it seems to relate to other provisions of the employer’s electronic policies.

Employers with electronic device policies that restrict or limit personal use of their electronic devices need to include an exception consistent with this amendment and do so immediately, as the amendment took effect the day the law was signed on August 15, 2025.

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