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Contact:
idhr.mediapio@illinois.gov
[@Illinois_DHR](https://twitter.com/Illinois_DHR)

ATTORNEY GENERAL RAOUL AND ILLINOIS DEPARTMENT OF HUMAN RIGHTS ISSUE GUIDANCE ON PROTECTIONS AGAINST DISCRIMINATION RELATED TO PREGNANCY, REPRODUCTIVE HEALTH DECISIONS

Chicago – Illinois Attorney General Kwame Raoul and the Illinois Department of Human Rights (IDHR) today released a [guide on the state’s protections against discrimination](#) based on pregnancy, childbirth, and reproductive health decisions related to pregnancy — including abortion.

Following the U.S. Supreme Court’s decision to overrule *Roe v. Wade*, many states have rolled back the freedom of individuals to make reproductive health decisions. In light of the ruling, Attorney General Raoul and the IDHR are issuing guidance to address questions Illinois residents may have about their rights to reproductive autonomy under Illinois law. Illinois law protects the choice to have an abortion and treats abortion in the same manner as other kinds of health care.

The non-regulatory guidance issued today clarifies Illinois’ anti-discrimination law as it relates to pregnancy and reproductive health decisions and identifies legal protections from pregnancy discrimination. The guidance covers scenarios and examples of discrimination in a variety of settings, including in the workplace, housing, health care, schools, retail and service establishments, and other public accommodations. It is intended to help Illinois residents, employers, housing providers, and the business and health care communities better understand their rights and responsibilities concerning reproductive autonomy and how to avoid engaging in discrimination.

“I’m glad that the Attorney General and IDHR are taking extra steps to ensure women are protected at a time where their rights are being stripped away in so many places,” **said Governor JB Pritzker**. “Here in Illinois, we understand that reproductive health choices are private medical decisions made by a woman with her doctor, and that no matter the outcome of these choices women deserve protection from unlawful discrimination.”

“Under Illinois law, everyone has the right to make decisions about their reproductive health free from discrimination,” **Raoul said**. “This guidance will assist women in exercising their rights, as well as help employers, housing providers, health care practitioners and others avoid discriminatory practices.”

“Reproductive rights are human rights,” **said IDHR Director Jim Bennett**. “The Illinois Human Rights Act provides one of the most comprehensive sets of civil rights protections in the nation,

and today we outline how the Act protects women and all people who can become pregnant when it comes to their reproductive health and family planning decisions.”

“Illinois trusts women and people to make decisions about their health, including reproductive care and is taking action to guard that right,” **said Lt. Governor Juliana Stratton.** “These guidelines will help inform and uplift protections in place aimed at stopping discrimination and ensuring that all in our state can exercise self-determination over their lives and futures.”

The guidance discusses Illinois Human Rights Act protections against pregnancy discrimination, including discrimination based on potential or intended pregnancy, such as the use of fertility treatments to become pregnant, contraception to prevent a pregnancy or abortion to end a pregnancy. The law also covers discrimination based on conditions related to pregnancy or childbirth, such as preeclampsia, gestational diabetes, postpartum depression, ectopic pregnancy, miscarriage, lactation, and breastfeeding. The guidance addresses unlawful harassment and retaliation, and discusses reasonable accommodations for pregnancy and related conditions, like breastfeeding, in the context of workplaces, housing and public accommodations, like retail stores.

The IDHR is committed to securing freedom from unlawful discrimination for all Illinois residents. Individuals who have experienced discrimination, harassment, or retaliation based on pregnancy, childbirth, or pregnancy-related conditions—including reproductive decision-making—can file a discrimination charge within 300 days of the date of the incident or within one year of a housing violation by calling 312-814-4320 or 866-740-3953 (TTY) or emailing IDHR.Intake@illinois.gov.

The Illinois Attorney General’s office is committed to protecting the civil rights of all in Illinois, including the right to be free from discrimination and harassment based on pregnancy, childbirth, and related conditions, including reproductive decision-making. The Illinois Human Rights Act grants the Attorney General the authority to investigate broad, systemic problems or incidences of discrimination, referred to as “patterns or practices,” and file suits to remedy such violations. To file a complaint regarding a pattern or practice of discrimination, contact the office’s Civil Rights Bureau by calling 877-581-3692 or emailing civilrights@ilag.gov.