

NEW MENOPAUSE-RELATED WORKPLACE PROTECTIONS COMING TO ILLINOIS: HOW YOUR BUSINESS CAN PREPARE

Insights
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Illinois workers experiencing perimenopause and menopause-related conditions will soon have workplace accommodation and anti-discrimination protections under a new law enacted this summer. The Illinois Menopause Equity and Care Act, signed into law on August 7, amends the state's pregnancy-discrimination and reasonable-accommodation protections to cover symptoms and health changes related to menopause. Starting January 1, 2027, covered employers will need to assess and, absent an undue hardship, provide reasonable accommodations for employees and applicants affected by perimenopause, menopause, and associated medical conditions. This Insight will cover everything you need to know about the new law and how to prepare your business for next year.

What's Covered?

The Illinois Menopause Equity and Care Act expands the state's existing protections against pregnancy discrimination and reasonable-accommodation requirements to apply to menopause-related conditions.

The Illinois Human Rights Act (IHRA) prohibits employment discrimination based on a number of protected categories. The Illinois Menopause Equity and Care Act amends the IHRA to add menopause-related conditions to the law's

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definition of “pregnancy,” which already encompasses pregnancy, childbirth, and related medical or common conditions. The amendment defines a “menopause-related condition” as “perimenopause, menopause, and associated medical or symptomatic conditions,” which include **“vasomotor symptoms, sleep disruption, cognitive or mood changes, and osteoporosis-related changes.”**

Illinois joins [Rhode Island](#) and [Philadelphia](#), which have adopted similar accommodation and discrimination protections related to menstruation, perimenopause, or menopause.

What Does This Mean for Your Business?

Starting next year, employers should treat and handle menopause-related accommodation requests from **job applicants as well as part-time, full-time, and probationary employees** similar to any other accommodation request. It’s important to properly engage in the interactive process and apply the same legal framework that applies to pregnancy or medically-related requests.

Under the IHRA, it is unlawful for an employer to:

- Refuse to hire, segregate, or otherwise make employment decisions based on a menopause-related condition.
- Deny reasonable accommodations for a known menopause-related medical or common condition, unless the employer shows the accommodation would create an undue hardship.
- Take an adverse action or deny an employment opportunity because an applicant or employee needs a reasonable accommodation.
- Require an employee to accept an accommodation that the employee did not request.
- Require an employee to take a leave of absence if another reasonable accommodation can be provided.
- Fail to reinstate an employee to their original or an equivalent position after an accommodation is no longer needed, with limited exceptions for undue hardship.

The Illinois Menopause Equity and Care Act also expands Illinois’ existing IHRA notice obligation for employers.

Employers must post the Illinois Department of Human Rights required notice in a conspicuous workplace location and include the required information in employee handbooks. Beginning in 2027, that notice must address and employee's right to reasonable accommodation for pregnancy, including menopause-related conditions. Failure to post this notice could result in a civil-rights charge.

What are the benefits of providing support for employees experiencing menopause? [Read more about the untapped ROI of menopause-savvy workplaces from FP here.](#)

Providing Reasonable Accommodations

IHRA requires a timely, good-faith, and meaningful exchange between the employer and the employee or applicant to identify an effective reasonable accommodation.

Although each request must be evaluated individually and handled on a case-by-case basis, the IHRA's list of accommodation examples for pregnancy provides a useful starting point for menopause-related requests. Specifically, employers can anticipate what requests may be deemed reasonable, including:

- More frequent or longer rest, water, or bathroom breaks;
- Flexible scheduling or modified work hours;
- A temperature- or climate-adjusted workspace;
- Access to a fan, cooler work location, or modified uniform requirements when feasible;
- Temporary job restructuring, modified duties, or reassignment to a vacant position; and
- Leave when appropriate and when another effective accommodation is unavailable.

Practical Response Steps for Employers

Ahead of the law's January 1, 2027 effective date, employers with operations in Illinois should:

1. Monitor the Illinois Department of Human Rights for its updated poster/notice and any further guidance on the

Illinois Menopause Equity and Care Act.

2. Plan to update its Illinois Department of Human Rights notices before the effective date.
3. Update your organization's handbook provisions, accommodation policies, and forms addressing equal employment opportunity, anti-discrimination, accommodations, leave, and complaint reporting. Pregnancy-specific language should be expanded to expressly reference menopause-related conditions. Electronic posting and handbook-distribution processes should also cover remote and hybrid Illinois employees.
4. Train HR staff, managers, and leave administrators on receiving workplace accommodation requests, maintaining confidentiality, and engaging in the interactive process.

Conclusion

Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information on compliance with this new law. For assistance with updating your accommodations and leave policies, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in [our Chicago office](#) or on our [Employee Leaves and Accommodations Team](#).