



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2017-7136  
**Type:** Ordinance  
**Status:** Failed to Pass  
**File created:** 10/11/2017  
**In control:** City Council  
**Final action:**  
**Title:** Amendment of Municipal Code Section 2-160-065 to prohibit employers from discriminating against or discharging employees for updating certain personal information  
**Sponsors:** Villegas, Gilbert, Ramirez-Rosa, Carlos  
**Indexes:** Ch. 160 Human Rights  
**Attachments:** 1. O2017-7136.pdf

| Date       | Ver. | Action By    | Action         | Result |
|------------|------|--------------|----------------|--------|
| 5/29/2019  | 1    | City Council | Failed to Pass |        |
| 10/11/2017 | 1    | City Council | Referred       |        |

### **Ordinance Amending the Human Rights Ordinance to Protect Workers Who Update Personal Information**

WHEREAS, bodies politic and the businesses that operate within them benefit when employees are in a position to freely and without fear of reprisal update their personal information relative to employment; and

WHEREAS, for any number of reasons, including the vagaries and uncertainty associated with international travel and migration, workers might from time to time be presented with an opportunity to update their personal information in an employment setting; and

WHEREAS, the City and other governmental entities rely on or benefit from updated information associated with taxpayers, including those in the employment setting; now, therefore,

#### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

Section 1. Chapter 2-160-065 of the Municipal Code is hereby amended by adding the underscored text and deleting the struck-through text as follows:

#### **2-160-065 Alternative identification cards, updated employment information.**

a) Recognition of City of Chicago ID Card as valid identification. When requiring members of the public to provide identification or proof of residency, every department of the City of Chicago shall accept the City of Chicago ID created in Chapter 2-176 as valid identification and as valid proof of residency in the City of Chicago, unless the department has reason to believe that the City of Chicago ID is counterfeit, altered, improperly issued, or that the person presenting the City of Chicago ID is not the person to whom the card was issued.

b) Recognition of Mexican Matricula Consular Cards as valid identification. When requiring members of the public to provide identification, each city department shall accept as valid identification of the person a "Matricula Consular" identification card issued by the Mexican Consulate.

c) Recognition of other Latin American Matricula Consular Cards as valid identification. When requiring members of the public to provide identification, each city department shall accept as valid identification of the person a "Matricula Consular" identification card issued by any other Latin American country that is represented by a consulate office in the City of Chicago, to its citizens or nationals if the issuing country's consulate has certified to the City of Chicago that the identification card meets the following security requirements:

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(1) the issuing country authorizes the use of the card as an alternative to a passport for re-entry into the issuing country; and

2) the card holder was required to provide proof of identity, nationality and address in order to obtain the card; and

3) the card had a photograph of the person, the person's date of birth and the person's current local address; and

4) the card has physical security features reasonably designed to protect against fraud and counterfeit reproduction, including the use of bonded paper, lamination, a hologram, and an embedded signature of the issuing officer and serialization.

(d) The office of the superintendent of police shall compile and make available to the members of the Chicago City Council and the city departments a list of the types of identification cards and the issuing countries that have certified to the office of the superintendent of police that their identification cards meet the requirements of this section.

e) An employer may not discharge an employee or in any manner discriminate, retaliate, or take any adverse action against an employee because the employee updates or attempts to update his or her personal information based on a lawful change of name, social security number, or federal employment authorization document. An employer's compliance with this section shall not serve as the basis for a claim of discrimination, including any disparate treatment claim.

f) The requirements of this section do not apply under circumstances where (1) a federal or state statute, administrative regulation or directive, or court decision requires the city to obtain different identification, (2) a federal or state statute or administrative regulation or directive preempts local regulation of identification requirements, or (3) the city would be unable to comply with a condition imposed by a funding

source, which would cause the city to lose funds from that source.

(f) (g) Nothing in this section is intended to prohibit city departments from (1) asking for additional information from individuals in order to verify a current address or other facts that would enable the department to fulfill its responsibilities, except that this section does not permit the department to require additional information solely in order to establish identification of the person when the Matricula Consular Card is the form of identification presented, or (2) using fingerprints for identification purposes under circumstances where the department also requires fingerprints from persons who have a driver's license or state identification card.

Gilbew/Villegas Alderman, 36<sup>th</sup> Ward

SECTION 2. This Ordinance shall take effect following passage and publication.

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Type: Ordinance

Title: Protecting workers who update their personal information Committee(s) Assignment: Committee on  
Human Relations