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Perkins on Privacy

Illinois Supreme Court Nixes Employer Biometric Privacy Defense

In the latest in a series of setbacks for employers facing claims under the Illinois Biometric Information Privacy Act, the Supreme Court of Illinois held last month that the Illinois Workers' Compensation Act does not preempt BIPA claims for statutory damages brought by employees. The decision in *McDonald v. Symphony Bronzeville Park, LLC, et al.* has triggered the resumption of many dozens of BIPA workplace lawsuits which were stayed while the Illinois high court considered the case, and will likely encourage even more lawsuits from current and former Illinois employees.

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