



ILLINOIS DEPARTMENT OF LABOR

NOTICE TO EMPLOYERS & EMPLOYEES

The Illinois Department of Labor is responsible for enforcing 26 laws that protect Illinois employers and employees. These laws provide for a workplace in which employer and employee are each bound by the same impartial laws and standards. When disputes arise concerning the interpretation or applicability of the Illinois Labor Laws, or when the laws have been intentionally or unintentionally broken, the Department will provide assistance and enforcement authority to protect the rights and ensure the obligations of all parties.

REQUIRED POSTING – Employers are required to post this notice in a conspicuous place for all employees.

The following is a brief description of the wage and hour laws enforced by the Illinois Department of Labor. These laws have been summarized; however, the laws may contain additional information that will affect individual cases.

MINIMUM WAGE LAW (820 ILCS 105/1-15)

(312) 793-2804

MINIMUM WAGE

The Minimum Wage Law establishes a minimum wage rate for all covered workers. It requires that all non-exempt employees be compensated at time and one half for hours over 40 in a workweek. A tip credit is recognized by the Act, but it must not exceed 40% of the applicable minimum wage. The Department may license an employer to pay sub-minimum rates to learners and certain workers with physical or mental disabilities.

MINIMUM WAGE as of 9/1/1997	
Minimum Wage.....	5.15
Under 18.....	4.65
With 40% Tip Credit.....	3.09
Under 18 w/tip.....	2.79

The Minimum Wage Law does not apply to the following: employers who employ less than four employees; employees in domestic services in or about a private home; outside salespeople; employees of a religious organization; certain agricultural and aquacultural employees; and student employees at an accredited Illinois College or University covered under the Fair Labor Standards Act.

OVERTIME

The Minimum Wage Law requires that an employee who works more than forty (40) hours in any workweek is entitled to one and one-half times his/her regular rate of pay for those additional hours of work. The following are completely exempt from the overtime provision of the law: any employee employed in a bona fide executive, administrative, or professional capacity or any commissioned employee working in a retail or service establishment as described in section 7(i) and 13(a)(1) of the Fair Labor Standards Act of 1938; any employer of agricultural labor; salespeople and mechanics in retail automotive, truck or farm implement dealerships; retail salespeople in trailer, boat or aircraft dealerships; and any employment of employees in the stead of another employee of the same employer pursuant to a worktime exchange agreement between employees. Government employees are covered for overtime by the federal Fair Labor Standards Act, not the Illinois laws.

CHILD LABOR LAW (820 ILCS 205/1-22)
(312) 793-2804

The Child Labor Law regulates the employment of minors under the age of 16. The law protects children by (1) requiring employment certificates confirming that a minor is old enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education; (2) prohibiting work in hazardous occupations (a full listing can be found on our website); and (3) limiting the number of working hours. All work before 7 a.m. and after 7 p.m. is prohibited. Work until 9 p.m. is allowed from June 1 through Labor Day. An employer found to be working a child in violation of the Act is subject to an investigation, a hearing and the imposition of a penalty. Failure to comply may also result in prosecution. The Department maintains a toll-free hotline number to receive complaints and request for information.

1-800-645-5784
Child Labor Hotline Number

Employers of minors must post a notice stating the hours of work and time of the lunch period. Office employment and other non-hazardous employment of 14 and 15 year olds is not prohibited by this Act. The Child Labor Law does not apply to the sale and distribution of magazines and newspapers at hours when school is not in session; or to the employment of a minor outside school hours in and around a home of an employer when the work is not business related; or work of the minor, 13 or more years of age in caddying at a golf course.

ONE DAY REST IN SEVEN ACT (ODRISA) (820 ILCS 140/1-9)
(312) 793-2804

The One Day Rest in Seven Act (ODRISA) allows employees 24 consecutive hours of rest in every calendar week. The law allows employers to secure permits from the Department to work employees the seventh day, provided that the employees have voluntarily agreed to work the seventh day. The law also provides employees working 7 ½ hours or longer with a meal period of at least 20 minutes to occur no later than 5 hours after the start of each 7 ½ hour period of work.

ILLINOIS WAGE PAYMENT AND COLLECTION ACT (820 ILCS 115/1-16)
(312) 793-2808

The Department provides assistance to workers in the collection of wages or final compensation including unused vacation pay, commissions, bonuses or other fringe benefits. Employees who believe they have not received their earned wages, commissions, bonus payments, vacation pay, or other compensation pursuant to an oral or written contract, may file a claim under the Act. Wage claims received by the Department are reviewed to determine appropriate action. Written information and position statements are solicited from the employer and employee. The Department determines whether a violation of the Act has occurred and what wages (if any) are due to the claimant. If further action is needed, hearings may be convened and court action taken.

For more information on the laws we enforce, please visit our website at www.state.il.us/agency/idol/

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