

ILLINOIS DEPARTMENT OF LABOR

CHILD LABOR LAW

820 ILCS 205/1-22



FY 2021 Annual Report
Administration and Enforcement Activities

Michael D. Kleinik
Director

Marina Faz-Huppert
Director, Fair Labor Standards Division

I. INTRODUCTION

The Illinois Child Labor Law regulates the employment of workers under the age of 16 and prohibits most work by children under the age of 14. The Illinois Department of Labor (the Department) through its Fair Labor Standards Division administers and enforces the Child Labor Law. In accordance with 820 ILCS 205/18.2, the Department is required to file a report with the General Assembly by January 1 each year summarizing its activities regarding administration and enforcement of this law for the preceding fiscal year.

II. ADMINISTRATION

The Department maintains a toll-free hotline (1-800-645-5784) which is used primarily by the Issuing Officers in schools to obtain assistance when issuing employment certificates, as well as to receive complaints and provide information to the general public. The hotline number is prominently displayed on our Labor Law Poster, which must be posted in all businesses throughout the state. The Department made additional e-mail addresses available to help facilitate the various questions it receives during the year. This includes:

- dol.childlaborquestions@illinois.gov to receive general questions about child employment
- dol.childlaborcomplaints@illinois.gov to report child labor violations
- dol.childlaborlaw@illinois.gov to provide a copy of an approved child work certificate

Public Act 102-0032

Following an emergency rule that provided working minors the ability to secure employment certificates remotely due to COVID-19 restrictions, the Department initiated legislation to allow for the permanent change in Child Labor Law (820 ILCS 205) given continued health concerns and use of available technology. The Department also conducted outreach statewide to receive feedback about the remote process among issuing officers of employment certificates throughout the state.

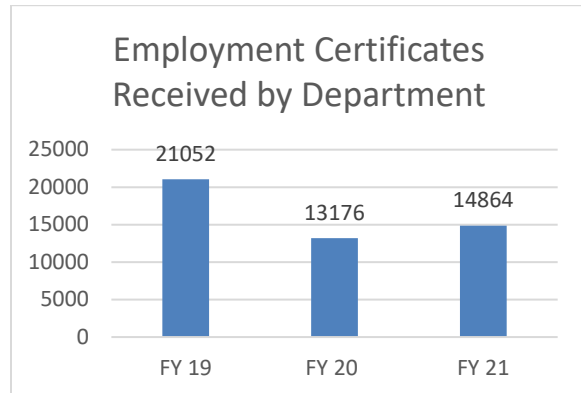
Last spring, Public Act 102-0032 amended the Child Labor Law to allow minors under 16 and their parents to meet with school issuing officer remotely instead of in-person to apply for a work permit as previously required by the Act. The legislation also updated terminology by clarifying the definition of a duly Authorized Agent (Issuing Officer) as an individual who is:

- Designated by a Regional or District Superintendent of Schools
- Acting as their agent for the limited purpose of issuing employment certificates to minors under the age of 16
- An official of any public-school district, charter school, or any State-recognized, non-public school

EMPLOYMENT CERTIFICATES REGISTERED WITH DEPARTMENT

In FY2021, the Department received 14,864 employment certificates as issued by schools and their duly authorized agents. This represents an increase of 1,688 certificates from FY 2020. Issuing officers are required to send copies of these certificates to the Department via e-mail. Once the Department receives the certificates, the certificate remains on file with the

Department in accordance with records retention policies.



Administrative Rules for Child Performers

Administrative rules for child performers working in television, motion picture, or related entertainment were promulgated to provide guidance of working conditions, maximum hours on a set, schooling and staffing requirements given the unique nature and growth of work opportunities in the entertainment industry. The rules provide guidance for minors under the age of 16, particularly for minors under 8 years of age. The Department engaged various stakeholders throughout the process including industry representatives, studio teachers, union representatives, the Illinois Film Office and the Illinois State Board of Education.

Throughout FY2021, the Department continued to receive night waivers for minors working in motion picture or related entertainment productions totaling 488 requests.

III. ENFORCEMENT

Two informal settlement conferences relating to violations of the Child Labor Law were held during FY 2021. Penalties assessed through the conferences totaled \$2,750 and as collected were

deposited into the Child Labor and Day and Temporary Labor Enforcement Fund for enforcement activities. Settlement amounts are determined by the size of the business and the gravity of the violation.

The industries identified by the Department for penalties were in service and landscaping industries.

IV. OUTREACH EFFORTS

The Department's outreach and educational efforts helped to ensure compliance by providing information and instruction to a variety of individuals and organizations. The Department also continues to work with the State Board of Education to ensure that work-study programs comply with State and federal Child Labor Laws.

In FY 2021, the Department engaged issuing officers who are authorized to issue employment certificates by providing provides on legislative and administrative development related to the administration of employment certificates, including the following topics: 1) updating the names of individuals authorized to issue employment certificates by Regional or District Superintendents to the Department 2) review of responsibilities of issuing officers and documents required to issue employment certificates. The Department has 2,230 issuing officers registered with the Department.