**Section 200.530 Damages, Penalties, and Relief Due to the Employee**

a) If the Department determines that an employer owes payment for paid leave hours to an aggrieved employee or did not allow the employee to use earned paid leave hours, then the total amount due to the aggrieved employee shall be the following:

1) Total value of earned paid leave hours owed to the aggrieved employee;

2) *Compensatory damages*;

3) *A penalty of not less than $500 and not more than $1,000*; and

4) *Any equitable relief* as determined by the Administrative Law Judge pursuant to a hearing conducted under the IAPA. [820 ILCS 192/30]

b) When determining the amount of a penalty, the Director shall consider the following factors:

1) The gravity of the violation, including the nature, circumstances, and extent of the violation, and the severity of the actual or potential harm;

2) The history of previous violations; and

3) The size of the employer, including number of employees employed by the employer, the gross dollar volume of sales or business done, the employer's capital investments and financial resources, and other information relevant to the size of the employer.