**Section 240.120 Application of the Act**

a) Any individual performing services for a contractor is covered by the Act.

b) Construction services performed on or after January 1, 2008 are covered by the Act. The misclassification of an employee as an independent contractor prior to January 1, 2008 shall not serve as the basis for a violation under the Act.

(Source: Amended at 38 Ill. Reg. 18500, effective August 21, 2014)