**Section 250.705 Procedure for Child Labor Penalty Assessment**

a) The Department shall conduct investigations, conferences, or hearings for the purpose of assessing penalties as provided under Section 17 of the Act.

b) When the Department finds, upon evidence resulting from an investigation pursuant to Section 17 of the Act, that an employer has violated the Child Labor Law or Department regulations, the Department may convene an informal investigative conference for the purpose of obtaining evidence, identifying the issues in dispute, and exploring the possibility of a negotiated settlement. Notice of the conference shall be given to the employer at least 10 days prior thereto and shall identify the individuals requested to attend, along with any books, records or documents the employer must produce at the conference. The Department shall consider the matter resolved in the event a settlement has been reached prior to the conference date.

c) An employer may be accompanied at the informal investigative conference by an attorney, and by a translator if necessary. The employer may bring witnesses to the conference in addition to those whose attendance may be specifically requested by the Department, but the Department employee conducting the conference shall decide which witnesses shall be heard and the order in which they will be heard. The Department employee conducting the conference may exclude witnesses and other persons from the conference when they are not giving evidence, except that the employer's counsel, and translator if necessary, may be permitted to remain throughout. The Department employee shall conduct and control the proceedings. No tape recording, stenographic report or other verbatim record of the conference may be made.

d) If any person becomes disruptive or abusive, the Departmental employee shall exclude the person from the conference and shall continue the conference without the excluded individual.

e) If the informal investigative conference is held but did not resolve the dispute, a final determination on the amount of civil penalties shall be made in an administrative hearing pursuant to the provisions of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001-1 et seq.) and Section 250.775 of this Part.

(Source: Added at 16 Ill. Reg. 5335, effective March 24, 1992)