**Section 260.100 Definitions**

"Act" means the Day and Temporary Labor Services Act [820 ILCS 175].

"Contract" means an agreement, written, oral or otherwise as agreed to between the parties.

"Day" means a calendar day.

"Day or Temporary Laborer" means *a natural person who contracts for employment with a day and temporary labor service agency.*

"Day and Temporary Labor" means *work performed by a day or temporary laborer at a third party client, the duration of which may be specific or undefined, pursuant to a contract or understanding between the day and temporary labor service agency and the third party client. "Day and temporary labor" does not include labor or employment of a professional or clerical nature.*

"Day and Temporary Labor Service Agency" means *any person or entity engaged in the business of employing day and temporary laborers to provide services, for a fee, to or for any third party client pursuant to a contract with the day and temporary labor service* agency *and the third party* client, and which is located, operates or transacts business within the State of Illinois*.* [820 ILCS 175/5]

"Department" means the Illinois Department of Labor.

"Director" means the Director of Labor or a duly authorized representative.

*"Hours worked" has the meaning ascribed to that term in 56 Ill. Adm. Code 210.110.* [820 ILCS 175/30(a)(2)]

"Person" means *every natural person, firm, partnership, co-partnership, limited liability company, corporation, association, business trust, or other legal entity, or its legal representatives, agents, or assigns.*

"Professional" means, for purposes of the Day and Temporary Labor Services Act [820 ILCS 175], any person who meets the duties test of a professional under 29 CFR 541.3 as of March 30, 2003 (no later dates or editions). Specifically, this means any employee engaged in work predominantly intellectual and varied in character, rather than routine mental, manual, mechanical or physical work.

"Third Party Client" means *any person that contracts with a day and temporary labor service agency for obtaining day or temporary laborers.* [820 ILCS 175/5]

(Source: Amended at 32 Ill. Reg. 8736, effective May 29, 2008)