



Rep. Lakesia Collins

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10200HB4600ham001

LRB102 23985 SPS 35642 a

1 AMENDMENT TO HOUSE BILL 4600

2 AMENDMENT NO. _____. Amend House Bill 4600 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The One Day Rest In Seven Act is amended by
5 changing Sections 2 and 7, adding Section 8.5, and renumbering
6 Section 9 as follows:

7 (820 ILCS 140/2) (from Ch. 48, par. 8b)

8 Sec. 2. Hours and days of rest in every calendar week.

9 (a) Every employer shall allow every employee except those
10 specified in this Section at least twenty-four consecutive
11 hours of rest in every consecutive 7-day period ~~calendar week~~
12 in addition to the regular period of rest allowed at the close
13 of each working day.

14 A person employed as a domestic worker, as defined in
15 Section 10 of the Domestic Workers' Bill of Rights Act, shall
16 be allowed at least 24 consecutive hours of rest in every

1 consecutive 7-day period ~~calendar week~~. This subsection (a)
2 does not prohibit a domestic worker from voluntarily agreeing
3 to work on such day of rest required by this subsection (a) if
4 the worker is compensated at the overtime rate for all hours
5 worked on such day of rest. The day of rest authorized under
6 this subsection (a) should, whenever possible, coincide with
7 the traditional day reserved by the domestic worker for
8 religious worship.

9 (b) Subsection (a) does not apply to the following:

10 (1) Part-time employees whose total work hours for one
11 employer during a calendar week do not exceed 20; and

12 (2) Employees needed in case of breakdown of machinery
13 or equipment or other emergency requiring the immediate
14 services of experienced and competent labor to prevent
15 injury to person, damage to property, or suspension of
16 necessary operation; and

17 (3) Employees employed in agriculture or coal mining;
18 and

19 (4) Employees engaged in the occupation of canning and
20 processing perishable agricultural products, if such
21 employees are employed by an employer in such occupation
22 on a seasonal basis and for not more than 20 weeks during
23 any calendar year or 12 month period; and

24 (5) Employees employed as watchmen or security guards;
25 and

26 (6) Employees who are employed in a bonafide

1 executive, administrative, or professional capacity or in
2 the capacity of an outside salesman, as defined in Section
3 12 (a) (1) of the federal Fair Labor Standards Act, as
4 amended, and those employed as supervisors as defined in
5 Section 2 (11) of the National Labor Relations Act, as
6 amended; and

7 (7) Employees who are employed as crew members of any
8 uninspected towing vessel, as defined by Section 2101(40)
9 of Title 46 of the United States Code, operating in any
10 navigable waters in or along the boundaries of the State
11 of Illinois.

12 (Source: P.A. 99-758, eff. 1-1-17.)

13 (820 ILCS 140/7) (from Ch. 48, par. 8g)

14 Sec. 7. Civil offense.

15 (a) Any employer who violates any of the provisions of
16 this Act, shall be guilty of a ~~civil petty~~ offense, and shall
17 be subject to a civil penalty of up to \$500 per offense,
18 payable to the Department of Labor, and damages of up to \$500
19 per offense, payable to the employee or employees affected.
20 Each employee whose rights are violated under this Act shall
21 constitute a separate offense. Each week that an employee is
22 found to not have been allowed 24 consecutive hours of rest as
23 required in Section 2 shall constitute a separate offense.
24 Each day that an employee is found not to have been provided a
25 meal period as required in Section 3 shall constitute a

1 ~~separate offense fined for each offense in a sum of not less~~
2 ~~than \$25 nor more than \$100.~~

3 (b) The Director of Labor shall enforce this Act in
4 accordance with the Illinois Administrative Procedure Act. The
5 Director of Labor shall have the powers and the parties shall
6 have the rights provided in the Illinois Administrative
7 Procedure Act for contested cases, including, but not limited
8 to, provisions for depositions, subpoena power and procedures,
9 and discovery and protective order procedures.

10 (c) Any Funds collected by the Department of Labor under
11 this Act shall be deposited into the Child Labor and Day and
12 Temporary Labor Services Enforcement Fund.

13 (Source: P.A. 77-2418.)

14 (820 ILCS 140/8.5 new)

15 Sec. 8.5. Notification.

16 (a) Every employer covered by this Act shall post and keep
17 posted, in one or more conspicuous places on the premises of
18 the employer where notices to employees are customarily
19 posted, a notice, to be provided by the Director of Labor,
20 summarizing the requirements of this Act and information
21 pertaining to the filing of a complaint. The Director of Labor
22 shall provide copies of summaries and rules to employers upon
23 request without charge.

24 (b) An employer with employees who do not regularly report
25 to a physical workplace, and instead work remotely or travel

1 for work, shall also provide the notice by email to its
2 employees or on a website, regularly used by the employer to
3 communicate work-related information, that all employees are
4 able to regularly access, freely and without interference.

5 (c) Failure to provide notice as required by this Section
6 shall be deemed a violation of this Act.

7 (820 ILCS 140/9) (from Ch. 48, par. 8i)

8 Sec. 0.01 ~~9~~. Short title. This Act may be cited as the One
9 Day Rest In Seven Act.

10 (Source: P.A. 86-1324)".