



Rep. Lakesia Collins

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10200HB4600ham002

LRB102 23985 SPS 36626 a

1 AMENDMENT TO HOUSE BILL 4600

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4600, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The One Day Rest In Seven Act is amended by  
6 changing Sections 2, 3, and 7, adding Section 8.5, and  
7 renumbering Section 9 as follows:

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

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

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

15 A person employed as a domestic worker, as defined in  
16 Section 10 of the Domestic Workers' Bill of Rights Act, shall

1 be allowed at least 24 consecutive hours of rest in every  
2 consecutive seven-day period ~~calendar week~~. This subsection  
3 (a) does not prohibit a domestic worker from voluntarily  
4 agreeing to work on such day of rest required by this  
5 subsection (a) if the worker is compensated at the overtime  
6 rate for all hours worked on such day of rest. The day of rest  
7 authorized under this subsection (a) should, whenever  
8 possible, coincide with the traditional day reserved by the  
9 domestic worker for religious worship.

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

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

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

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

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

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

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

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

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

14 (820 ILCS 140/3) (from Ch. 48, par. 8c)

15 Sec. 3. Every employer shall permit its employees who are  
16 to work for 7 1/2 continuous hours ~~or longer~~, except those  
17 specified in this Section, at least 20 minutes for a meal  
18 period beginning no later than 5 hours after the start of the  
19 work period. An employee who works in excess of 7 1/2  
20 continuous hours shall be entitled to an additional 20-minute  
21 meal period for every additional 4 1/2 continuous hours  
22 worked. For purposes of this Section, a meal period does not  
23 include reasonable time spent using the restroom facilities.

24 This Section does not apply to employees for whom meal  
25 periods are established through the collective bargaining

1 process.

2 This Section does not apply to employees who monitor  
3 individuals with developmental disabilities or mental illness,  
4 or both, and who, in the course of those duties, are required  
5 to be on call during an entire 8 hour work period; however,  
6 those employees shall be allowed to eat a meal during the 8  
7 hour work period while continuing to monitor those  
8 individuals.

9 This Section does not apply to individuals who are  
10 employed by a private company and licensed under the Emergency  
11 Medical Services (EMS) Systems Act, are required to be on call  
12 during an entire 8-hour work period, and are not local  
13 government employees; however, those individuals shall be  
14 allowed to eat a meal during the 8-hour work period while on  
15 call.

16 (Source: P.A. 100-1067, eff. 8-24-18.)

17 (820 ILCS 140/7) (from Ch. 48, par. 8g)

18 Sec. 7. Civil offense.

19 (a) Any employer who violates Sections 2, 3, or 3.1 ~~any of~~  
20 ~~the provisions of this Act,~~ shall be guilty of a civil petty  
21 offense, and shall be subject to a civil penalty as follows:  
22 ~~fined for each offense in a sum of not less than \$25 nor more~~  
23 ~~than \$100.~~

24 (1) For an employer with fewer than 25 employees, a  
25 penalty not to exceed \$250 per offense, payable to the

1 Department of Labor, and damages of up to \$250 per  
2 offense, payable to the employee or employees affected.

3 (2) For an employer with 25 or more employees, a  
4 penalty not to exceed \$500 per offense, payable to the  
5 Department of Labor, and damages of up to \$500 per  
6 offense, payable to the employee or employees affected.

7 (b) An offense under this Act shall be determined on an  
8 individual basis for each employee whose rights are violated.

9 (1) Each week that an employee is found to not have  
10 been allowed 24 consecutive hours of rest as required in  
11 Section 2 shall constitute a separate offense.

12 (2) Each day that an employee is found not to have been  
13 provided a meal period as required in Section 3 shall  
14 constitute a separate offense.

15 (3) A violation of Section 8.5 shall constitute a  
16 single offense, and is subject to a civil penalty not to  
17 exceed \$250 payable to the Department of Labor.

18 (c) The Director of Labor shall enforce this Act in  
19 accordance with the Illinois Administrative Procedure Act. The  
20 Director of Labor shall have the powers and the parties shall  
21 have the rights provided in the Illinois Administrative  
22 Procedure Act for contested cases, including, but not limited  
23 to, provisions for depositions, subpoena power and procedures,  
24 and discovery and protective order procedures.

25 (d) Any funds collected by the Department of Labor under  
26 this Act shall be deposited into the Child Labor and Day and

1 Temporary Labor Services Enforcement Fund.

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

3 (820 ILCS 140/8.5 new)

4 Sec. 8.5. Notification.

5 (a) Every employer covered by this Act shall post and keep  
6 posted, in one or more conspicuous places on the premises of  
7 the employer where notices to employees are customarily  
8 posted, a notice, to be provided by the Director of Labor,  
9 summarizing the requirements of this Act and information  
10 pertaining to the filing of a complaint. The Director of Labor  
11 shall provide copies of summaries and rules to employers upon  
12 request without charge.

13 (b) An employer with employees who do not regularly report  
14 to a physical workplace, and instead work remotely or travel  
15 for work, shall also provide the notice by email to its  
16 employees or on a website, regularly used by the employer to  
17 communicate work-related information, that all employees are  
18 able to regularly access, freely and without interference.

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

21 (820 ILCS 140/9) (from Ch. 48, par. 8i)

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

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