



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3146

Introduced 1/12/2022, by Sen. Celina Villanueva

SYNOPSIS AS INTRODUCED:

820 ILCS 140/7

from Ch. 48, par. 8g

Amends the One Day Rest In Seven Act. Provides that any employer who violates any of the provisions of the Act, shall be guilty of a civil offense (rather than a petty offense), and shall be subject to a civil penalty of up to \$500 per offense, payable to the Department of Labor, and damages of up to \$500 per offense, payable to the employee or employees affected (rather than be fined for each offense in a sum of not less than \$25 nor more than \$100). Provides for which actions shall constitute a separate offense. Provides that the Director of Labor shall enforce the Act in accordance with the Illinois Administrative Procedure Act. Provides that any funds collected by the Department shall be deposited in the Child Labor and Day and Temporary Labor Services Enforcement Fund.

LRB102 23984 SPS 33189 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The One Day Rest In Seven Act is amended by
5 changing Section 7 as follows:

6 (820 ILCS 140/7) (from Ch. 48, par. 8g)

7 Sec. 7. Civil offense.

8 (a) Any employer who violates any of the provisions of
9 this Act, shall be guilty of a ~~civil petty~~ offense, and shall
10 be subject to a civil penalty of up to \$500 per offense,
11 payable to the Department of Labor, and damages of up to \$500
12 per offense, payable to the employee or employees affected.
13 Each employee whose rights are violated under this Act shall
14 constitute a separate offense. Each week that an employee is
15 found to not have been allowed 24 consecutive hours of rest as
16 required in Section 2 shall constitute a separate offense.
17 Each day that an employee is found not to have been provided a
18 meal period as required in Section 3 shall constitute a
19 separate offense ~~fined for each offense in a sum of not less~~
20 ~~than \$25 nor more than \$100.~~

21 (b) The Director of Labor shall enforce this Act in
22 accordance with the Illinois Administrative Procedure Act. The
23 Director of Labor shall have the powers and the parties shall

1 have the rights provided in the Illinois Administrative
2 Procedure Act for contested cases, including, but not limited
3 to, provisions for depositions, subpoena power and procedures,
4 and discovery and protective order procedures.

5 (c) Any Funds collected by the Department of Labor under
6 this Act shall be deposited in the Child Labor and Day and
7 Temporary Labor Services Enforcement Fund.

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