



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB4218

Introduced 11/14/2022, by Sen. Bill Cunningham and Robert F. Martwick

#### SYNOPSIS AS INTRODUCED:

820 ILCS 140/1

from Ch. 48, par. 8a

820 ILCS 140/2

from Ch. 48, par. 8b

Amends the One Day Rest In Seven Act. Provides that in addition to the rest periods required under a specified provision of the Act, a law enforcement agency shall allow a law enforcement officer at least 24 consecutive hours of rest in either every consecutive 60-hour period or consecutive seven-day period, except while a disaster proclamation by the Governor is in effect.

LRB102 28176 RJT 39984 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 Sections 1 and 2 as follows:

6 (820 ILCS 140/1) (from Ch. 48, par. 8a)

7 Sec. 1. The words and phrases mentioned in this section,  
8 as used in this Act, and in proceedings pursuant hereto shall,  
9 unless the same be inconsistent with the context, be construed  
10 as follows:

11 "Employer" shall mean a person, partnership, joint stock  
12 company or corporation, which employs any person to work,  
13 labor or exercise skill in connection with the operation of  
14 any business, industry, vocation or occupation.

15 "Law enforcement agency" means all State agencies with law  
16 enforcement officers, county sheriff's offices, municipal,  
17 special district, college, unit of local government police  
18 departments, or any other entity authorized by law to employ  
19 peace officers or exercise police authority and who is  
20 primarily responsible for the prevention or detection of crime  
21 and the enforcement of the laws of this State.

22 "Law enforcement officer" means any person employed by a  
23 State, county, municipality, special district, college, unit

1 of government, or any other entity authorized by law to employ  
2 peace officers or exercise police authority and who is  
3 primarily responsible for the prevention or detection of crime  
4 and the enforcement of the laws of this State.

5 (Source: P.A. 78-917.)

6 (820 ILCS 140/2) (from Ch. 48, par. 8b)

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

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

12 A person employed as a domestic worker, as defined in  
13 Section 10 of the Domestic Workers' Bill of Rights Act, shall  
14 be allowed at least 24 consecutive hours of rest in every  
15 calendar week. This subsection (a) does not prohibit a  
16 domestic worker from voluntarily agreeing to work on such day  
17 of rest required by this subsection (a) if the worker is  
18 compensated at the overtime rate for all hours worked on such  
19 day of rest. The day of rest authorized under this subsection  
20 (a) should, whenever possible, coincide with the traditional  
21 day reserved by the domestic worker for religious worship.

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

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

25 (2) Employees needed in case of breakdown of machinery

1 or equipment or other emergency requiring the immediate  
2 services of experienced and competent labor to prevent  
3 injury to person, damage to property, or suspension of  
4 necessary operation; and

5 (3) Employees employed in agriculture or coal mining;  
6 and

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

12 (5) Employees employed as watchmen or security guards;  
13 and

14 (6) Employees who are employed in a bonafide  
15 executive, administrative, or professional capacity or in  
16 the capacity of an outside salesman, as defined in Section  
17 12 (a) (1) of the federal Fair Labor Standards Act, as  
18 amended, and those employed as supervisors as defined in  
19 Section 2 (11) of the National Labor Relations Act, as  
20 amended; and

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

26 (c) In addition to the rest periods required under

1 subsection (a), a law enforcement agency shall allow a law  
2 enforcement officer at least 24 consecutive hours of rest in  
3 either every consecutive 60-hour period or consecutive  
4 seven-day period. This subsection (c) does not apply while a  
5 disaster proclamation by the Governor is in effect.

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