

1 AN ACT in relation to labor.

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

4 Section 5. The Day and Temporary Labor Services Act is  
5 amended by changing Section 55 and adding Section 85 as  
6 follows:

7 (820 ILCS 175/55)

8 Sec. 55. Enforcement. It shall be the duty of the  
9 Department to enforce the provisions of this Act. The  
10 Department shall have the power to conduct investigations in  
11 connection with the administration and enforcement of this  
12 Act and any investigator with the Department shall be  
13 authorized to visit and inspect, at all reasonable times, any  
14 places covered by this Act and shall be authorized to  
15 inspect, at all reasonable times, contracts for the  
16 employment of all day or temporary laborers entered into by  
17 third party employers. The Department shall conduct hearings  
18 in accordance with the Illinois Administrative Procedure Act  
19 upon written complaint by an investigator of the Department  
20 or any interested person of a violation of the Act. After the  
21 hearing, if supported by the evidence, the Department may (i)  
22 issue and cause to be served on any party an order to cease  
23 and desist from further violation of the Act, (ii) take  
24 affirmative or other action as deemed reasonable to eliminate  
25 the effect of the violation, (iii) deny, suspend, or revoke  
26 any registration under this Act, and (iv) determine the  
27 amount of any civil penalty allowed by the Act. The Director  
28 of Labor or his or her representative may compel, by  
29 subpoena, the attendance and testimony of witnesses and the  
30 production of books, payrolls, records, papers, and other  
31 evidence in any investigation or hearing and may administer

1 oaths to witnesses. Nothing in this Act applies to labor or  
2 employment of a clerical or professional nature.

3 (Source: P.A. 92-783, eff. 1-1-03.)

4 (820 ILCS 175/85 new)

5 Sec. 85. Third party employers. Third party employers are  
6 prohibited from entering into contracts for the employment of  
7 day or temporary laborers with any person or entity not  
8 registered as a day and temporary labor service agency under  
9 Section 45 of this Act.