

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 a  
17 third party employer if the Department has received a  
18 complaint indicating that the third party employer may have  
19 contracted with a day and temporary labor service agency that  
20 is not registered under this Act. The Department shall  
21 conduct hearings in accordance with the Illinois  
22 Administrative Procedure Act upon written complaint by an  
23 investigator of the Department or any interested person of a  
24 violation of the Act. After the hearing, if supported by the  
25 evidence, the Department may (i) issue and cause to be served  
26 on any party an order to cease and desist from further  
27 violation of the Act, (ii) take affirmative or other action  
28 as deemed reasonable to eliminate the effect of the  
29 violation, (iii) deny, suspend, or revoke any registration  
30 under this Act, and (iv) determine the amount of any civil  
31 penalty allowed by the Act. The Director of Labor or his or

1 her representative may compel, by subpoena, the attendance  
2 and testimony of witnesses and the production of books,  
3 payrolls, records, papers, and other evidence in any  
4 investigation or hearing and may administer oaths to  
5 witnesses; however, proprietary lists of a day and temporary  
6 labor service agency are not subject to subpoena. Nothing in  
7 this Act applies to labor or employment of a clerical or  
8 professional nature.

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

10 (820 ILCS 175/85 new)

11 Sec. 85. Third party employers. Third party employers are  
12 prohibited from entering into contracts for the employment of  
13 day or temporary laborers with any day and temporary labor  
14 service agency not registered under Section 45 of this Act.  
15 Upon request, the Department shall provide to a third party  
16 employer a list of entities registered as day and temporary  
17 labor service agencies. The Department shall provide on the  
18 Internet a list of entities registered as day and temporary  
19 labor service agencies.