

1 AMENDMENT TO SENATE BILL 600

2 AMENDMENT NO. _____. Amend Senate Bill 600 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Minimum Wage Law is amended by changing
5 Section 4 as follows:

6 (820 ILCS 105/4) (from Ch. 48, par. 1004)

7 Sec. 4. (a) Every employer shall pay to each of his
8 employees in every occupation wages of not less than \$2.30
9 per hour or in the case of employees under 18 years of age
10 wages of not less than \$1.95 per hour, except as provided in
11 Sections 5 and 6 of this Act, and on and after January 1,
12 1984, every employer shall pay to each of his employees in
13 every occupation wages of not less than \$2.65 per hour or in
14 the case of employees under 18 years of age wages of not less
15 than \$2.25 per hour, and on and after October 1, 1984 every
16 employer shall pay to each of his employees in every
17 occupation wages of not less than \$3.00 per hour or in the
18 case of employees under 18 years of age wages of not less
19 than \$2.55 per hour, and on or after July 1, 1985 every
20 employer shall pay to each of his employees in every
21 occupation wages of not less than \$3.35 per hour or in the
22 case of employees under 18 years of age wages of not less

1 than \$2.85 per hour, and from January 1, 2004 through
 2 December 31, 2004 every employer shall pay to each of his or
 3 her employees who is 18 years of age or older in every
 4 occupation wages of not less than \$5.50 per hour, and on and
 5 after January 1, 2005 every employer shall pay to each of his
 6 or her employees who is 18 years of age or older in every
 7 occupation wages of not less than \$6.50 per hour.

8 ~~At no time shall the wages paid by every employer to each~~
 9 ~~of his employees in every occupation be less than the federal~~
 10 ~~minimum hourly wage prescribed by Section 206(a)(1) of Title~~
 11 ~~29 of the United States Code,~~ and At no time shall the wages
 12 paid to any employee under 18 years of age be more than 50¢
 13 less than the wage required to be paid to employees who are
 14 at least 18 years of age.

15 (b) No employer shall discriminate between employees on
 16 the basis of sex or mental or physical handicap, except as
 17 otherwise provided in this Act by paying wages to employees
 18 at a rate less than the rate at which he pays wages to
 19 employees for the same or substantially similar work on jobs
 20 the performance of which requires equal skill, effort, and
 21 responsibility, and which are performed under similar working
 22 conditions, except where such payment is made pursuant to (1)
 23 a seniority system; (2) a merit system; (3) a system which
 24 measures earnings by quantity or quality of production; or
 25 (4) a differential based on any other factor other than sex
 26 or mental or physical handicap, except as otherwise provided
 27 in this Act.

28 (c) Every employer of an employee engaged in an
 29 occupation in which gratuities have customarily and usually
 30 constituted and have been recognized as part of the
 31 remuneration for hire purposes is entitled to an allowance
 32 for gratuities as part of the hourly wage rate provided in
 33 Section 4, subsection (a) in an amount not to exceed 40% of
 34 the applicable minimum wage rate. The Director shall require

1 each employer desiring an allowance for gratuities to provide
2 substantial evidence that the amount claimed, which may not
3 exceed 40% of the applicable minimum wage rate, was received
4 by the employee in the period for which the claim of
5 exemption is made, and no part thereof was returned to the
6 employer.

7 (d) No camp counselor who resides on the premises of a
8 seasonal camp of an organized not-for-profit corporation
9 shall be subject to the adult minimum wage if the camp
10 counselor (1) works 40 or more hours per week, and (2)
11 receives a total weekly salary of not less than the adult
12 minimum wage for a 40-hour week. If the counselor works less
13 than 40 hours per week, the counselor shall be paid the
14 minimum hourly wage for each hour worked. Every employer of
15 a camp counselor under this subsection is entitled to an
16 allowance for meals and lodging as part of the hourly wage
17 rate provided in Section 4, subsection (a), in an amount not
18 to exceed 25% of the minimum wage rate.

19 (e) A camp counselor employed at a day camp of an
20 organized not-for-profit corporation is not subject to the
21 adult minimum wage if the camp counselor is paid a stipend on
22 a onetime or periodic basis and, if the camp counselor is a
23 minor, the minor's parent, guardian or other custodian has
24 consented in writing to the terms of payment before the
25 commencement of such employment.

26 (Source: P.A. 86-502.)

27 Section 99. Effective date. This Act takes effect on
28 January 1, 2004."