

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 adding Section 3.1 as follows:

6 (820 ILCS 140/3.1 new)

7 Sec. 3.1. Hotel room attendants.

8 (a) As used in this Section, "hotel room attendant" means a
9 person who cleans or puts in order guest rooms in a hotel or
10 other establishment licensed for transient occupancy.

11 (b) This Section applies only to hotels and other
12 establishments licensed for transient occupancy that are
13 located in a county with a population greater than 3,000,000.

14 (c) Notwithstanding any other provision of law, every hotel
15 room attendant shall receive a minimum of 2 15-minute paid rest
16 breaks and one 30-minute meal period in each workday on which
17 the hotel room attendant works at least 7 hours. An employer
18 may not require any hotel room attendant to work during a break
19 period.

20 (d) Every employer of hotel room attendants shall make
21 available at all times a room on the employer's premises with
22 adequate seating and tables for the purpose of allowing hotel
23 room attendants to enjoy break periods in a clean and
24 comfortable environment. The room shall have clean drinking
25 water provided without charge.

26 (e) Each employer of hotel room attendants shall keep a
27 complete and accurate record of the break periods of its hotel
28 room attendants.

29 (f) An employer who violates this Section shall pay to the
30 hotel room attendant 3 times the hotel room attendant's regular
31 hourly rate of pay for each workday during which the required
32 breaks were not provided.

1 (g) It is unlawful for any employer or an employer's agent
2 or representative to take any action against any person in
3 retaliation for the exercise of rights under this Section. In
4 any civil proceeding brought under this subsection (f), if the
5 plaintiff establishes that he or she was employed by the
6 defendant, exercised rights under this Section, or alleged in
7 good faith that the defendant was not complying with this
8 Section, and was thereafter terminated, demoted, or otherwise
9 penalized by the defendant, then a rebuttable presumption shall
10 arise that the defendant's action was taken in retaliation for
11 the exercise of rights established by this Section. To rebut
12 the presumption, the defendant must prove that the sole reason
13 for the termination, demotion, or penalty was a legitimate
14 business reason.

15 (h) In addition to the remedies provided in Sections 6 and
16 7, a person claiming violation of this Section shall be
17 entitled to all remedies available under law or in equity,
18 including but not limited to damages, back pay, reinstatement,
19 or injunctive relief. Any person terminated in violation of
20 this Section shall recover treble his or her lost normal daily
21 compensation and fringe benefits, together with interest
22 thereon, and any consequential damages suffered by the
23 employee. The court shall award reasonable attorney's fees and
24 costs to a prevailing plaintiff in an enforcement action under
25 this Section.

26 Section 97. Severability. The provisions of this Act are
27 severable under Section 1.31 of the Statute on Statutes.

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.