



Sen. Kimberly A. Lightford

Filed: 5/17/2013

09800SB0068sam003

LRB098 05370 DRJ 46087 a

1 AMENDMENT TO SENATE BILL 68

2 AMENDMENT NO. _____. Amend Senate Bill 68 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)(1) Every employer shall pay to each of his
8 employees in every occupation wages of not less than \$2.30 per
9 hour or in the case of employees under 18 years of age wages of
10 not less than \$1.95 per hour, except as provided in Sections 5
11 and 6 of this Act, and on and after January 1, 1984, every
12 employer shall pay to each of his employees in every occupation
13 wages of not less than \$2.65 per hour or in the case of
14 employees under 18 years of age wages of not less than \$2.25
15 per hour, and on and after October 1, 1984 every employer shall
16 pay to each of his employees in every occupation wages of not

1 less than \$3.00 per hour or in the case of employees under 18
2 years of age wages of not less than \$2.55 per hour, and on or
3 after July 1, 1985 every employer shall pay to each of his
4 employees in every occupation wages of not less than \$3.35 per
5 hour or in the case of employees under 18 years of age wages of
6 not less than \$2.85 per hour, and from January 1, 2004 through
7 December 31, 2004 every employer shall pay to each of his or
8 her employees who is 18 years of age or older in every
9 occupation wages of not less than \$5.50 per hour, and from
10 January 1, 2005 through June 30, 2007 every employer shall pay
11 to each of his or her employees who is 18 years of age or older
12 in every occupation wages of not less than \$6.50 per hour, and
13 from July 1, 2007 through June 30, 2008 every employer shall
14 pay to each of his or her employees who is 18 years of age or
15 older in every occupation wages of not less than \$7.50 per
16 hour, and from July 1, 2008 through June 30, 2009 every
17 employer shall pay to each of his or her employees who is 18
18 years of age or older in every occupation wages of not less
19 than \$7.75 per hour, and from July 1, 2009 through June 30,
20 2010 every employer shall pay to each of his or her employees
21 who is 18 years of age or older in every occupation wages of
22 not less than \$8.00 per hour, and from ~~on and after~~ July 1,
23 2010 through June 30, 2014 every employer shall pay to each of
24 his or her employees who is 18 years of age or older in every
25 occupation wages of not less than \$8.25 per hour. From July 1,
26 2014 through June 30, 2015, every employer shall pay to each of

1 his or her employees who is 18 years of age or older in every
2 occupation wages of not less than \$9.00 per hour, and from July
3 1, 2015 through June 30, 2016, every employer shall pay to each
4 of his or her employees who is 18 years of age or older in every
5 occupation wages of not less than \$9.50 per hour, and from July
6 1, 2016 through June 30, 2017, every employer shall pay to each
7 of his or her employees who is 18 years of age or older in every
8 occupation wages of not less than \$10.00 per hour.

9 (2) Unless an employee's wages are reduced under Section 6,
10 then in lieu of the rate prescribed in item (1) of this
11 subsection (a), an employer may pay an employee who is 18 years
12 of age or older, during the first 90 consecutive calendar days
13 after the employee is initially employed by the employer, a
14 wage that is not more than 50¢ less than the wage prescribed in
15 item (1) of this subsection (a); however, an employer shall pay
16 not less than the rate prescribed in item (1) of this
17 subsection (a) to:

18 (A) a day or temporary laborer, as defined in Section 5
19 of the Day and Temporary Labor Services Act, who is 18
20 years of age or older; and

21 (B) an employee who is 18 years of age or older and
22 whose employment is occasional or irregular and requires
23 not more than 90 days to complete.

24 (3) At no time shall the wages paid to any employee under
25 18 years of age be more than 50¢ less than the wage required to
26 be paid to employees who are at least 18 years of age under

1 item (1) of this subsection (a).

2 (b) No employer shall discriminate between employees on the
3 basis of sex or mental or physical handicap, except as
4 otherwise provided in this Act by paying wages to employees at
5 a rate less than the rate at which he pays wages to employees
6 for the same or substantially similar work on jobs the
7 performance of which requires equal skill, effort, and
8 responsibility, and which are performed under similar working
9 conditions, except where such payment is made pursuant to (1) a
10 seniority system; (2) a merit system; (3) a system which
11 measures earnings by quantity or quality of production; or (4)
12 a differential based on any other factor other than sex or
13 mental or physical handicap, except as otherwise provided in
14 this Act.

15 (c) Every employer of an employee engaged in an occupation
16 in which gratuities have customarily and usually constituted
17 and have been recognized as part of the remuneration for hire
18 purposes is entitled to an allowance for gratuities as part of
19 the hourly wage rate provided in Section 4, subsection (a) in
20 an amount not to exceed 40% of the applicable minimum wage
21 rate. The Director shall require each employer desiring an
22 allowance for gratuities to provide substantial evidence that
23 the amount claimed, which may not exceed 40% of the applicable
24 minimum wage rate, was received by the employee in the period
25 for which the claim of exemption is made, and no part thereof
26 was returned to the employer.

1 (d) No camp counselor who resides on the premises of a
2 seasonal camp of an organized not-for-profit corporation shall
3 be subject to the adult minimum wage if the camp counselor (1)
4 works 40 or more hours per week, and (2) receives a total
5 weekly salary of not less than the adult minimum wage for a
6 40-hour week. If the counselor works less than 40 hours per
7 week, the counselor shall be paid the minimum hourly wage for
8 each hour worked. Every employer of a camp counselor under this
9 subsection is entitled to an allowance for meals and lodging as
10 part of the hourly wage rate provided in Section 4, subsection
11 (a), in an amount not to exceed 25% of the minimum wage rate.

12 (e) A camp counselor employed at a day camp is not subject
13 to the adult minimum wage if the camp counselor is paid a
14 stipend on a onetime or periodic basis and, if the camp
15 counselor is a minor, the minor's parent, guardian or other
16 custodian has consented in writing to the terms of payment
17 before the commencement of such employment.

18 (Source: P.A. 94-1072, eff. 7-1-07; 94-1102, eff. 7-1-07;
19 95-945, eff. 1-1-09.)

20 Section 99. Effective date. This Act takes effect July 1,
21 2014."