

ILLINOIS DEPARTMENT OF LABOR

CHILD LABOR LAW

820 ILCS 205/1-22



FY 2023 Annual Report
Administration and Enforcement Activities

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I. INTRODUCTION

The Illinois Child Labor Law regulates the employment of workers under the age of 16 and prohibits most work by children under the age of 14. Minors under the age of 16 can work between 7 a.m. to 7 p. m during the school year (7 a.m. to 9 p.m. from June -September) if they obtain an employment certificate from a school issuing officer. Among the many protections, the law also establishes the important role that authorized agents, otherwise known as Issuing Officers, play in the enforcement of the Child Labor Law. Issuing officers are designated by the Regional or District Superintendent of Schools as their agent for the purpose of issuing employment certificates to minors under the age of 16. Issuing officers may be officials of any public school district, charter school or any state-recognized, non-public school.

The Illinois Department of Labor (the Department) through its Fair Labor Standards Division (FLSD) administers and enforces the Child Labor Law. In accordance with 820 ILCS 205/18.2, the Department is required to file a report with the General Assembly by January 1 each year summarizing its activities regarding administration and enforcement of this law for the preceding fiscal year.

II. ADMINISTRATION

The Department maintains a toll-free hotline (1-800-645-5784) which is used primarily by the Issuing Officers in schools to obtain assistance when issuing employment certificates, as well as to receive complaints and provide information to the general public. The hotline number is prominently displayed on the Department's Labor Law Poster, which must be posted in all businesses throughout the State of Illinois. In addition to the hotline, the Department maintains the following e-mail

addresses to receive inquiries and complaints regarding child labor. This includes:

- dol.childlaborquestions@illinois.gov handles general questions about child employment
- dol.childlaborcomplaints@illinois.gov handles violation of child labor law reports
- dol.childlaborlaw@illinois.gov handles the receipt of approved child work certificates

This information can also be found on the Department's website at: <https://labor.illinois.gov/laws-rules/fls/child-labor-law.html>. The website also contains FAQ's, updates, and pertinent forms.

Updates to Child Labor Law Public Act 102-832

The Department continues to advance protections for working minors, particularly those employed by television, motion picture, or related entertainment as the industry experienced continued growth in the State of Illinois.

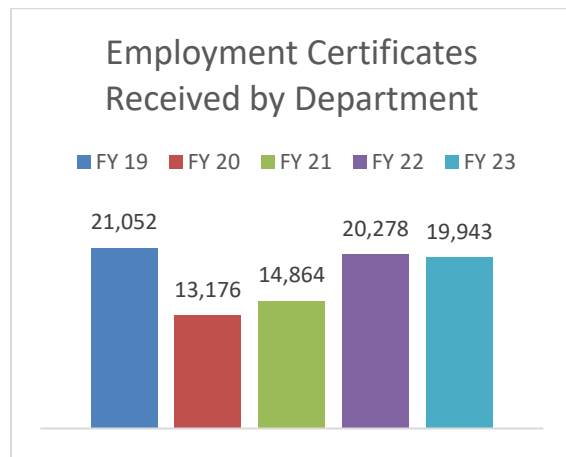
Public Act 102-832 provides additional requirements from production companies who employ minors working evening and overnight work hours. Late work hours are a common practice by the entertainment industry. However, the Department is committed to protecting the welfare of minors who are working in the entertainment industry. Employers will be required to provide additional justification for child performers expected to work between 12:30 a.m. and 5 a.m. Those waiver requests must be made 72 hours prior to the work. The updated changes also allow the industry to employ minors until 10 p.m. without a permit to standardize working hours for child performers. These changes took effect January 1, 2023.

Throughout FY2023, the Department continued to receive night waiver requests for minors working in motion pictures or related entertainment

productions. In total, the Department received 445 of such requests.

EMPLOYMENT CERTIFICATES & ISSUING OFFICERS REGISTERED WITH DEPARTMENT

In FY 2023, the Department received 19,943 employment certificates as issued by schools and their authorized agents. This represents a decrease of 835 certificates from FY 2022 (20,778). Issuing officers are required to send copies of these certificates to the Department via e-mail. Once the Department receives the certificates, the certificate remains on file with the Department in accordance with records retention policies.



In FY 2023, the Department recorded 102 new issuing officers throughout the State, bringing the total to 2,595 registered officers. Issuing officers are authorized by Regional or District Superintendent of Schools to issue employment certificates to minors who wish to work.

III. ENFORCEMENT

The Department conducts investigations where violations of the Child Labor Law are suspected. In FY 2023, the Department collected \$15,000 in penalties. The industries in which the Department identified violations leading to penalties were:

personal services, food retail, restaurants, commercial retail, and health centers.

Penalties collected under this Act are deposited into the Child Labor and Day and Temporary Labor Enforcement Fund to fund future enforcement activities. Settlement amounts are determined by the size of the business and the gravity of the violation.

IV. OUTREACH EFFORTS

The Department's outreach and educational efforts provide information and instruction to a variety of individuals and organizations, including the State Board of Education. This initiative ensures that compliance is achieved as it relates to State and Federal Child Labor Laws and work-study programs connected to labor organizations, Regional or District Superintendent of Schools, DCEO's Film Office and others. In FY24 thus far, the department has partnered with the Illinois State Board of Education to conduct eight outreach events to ensure children and their families know the law and their rights.

V. CONCLUSION

In the coming year, the Department looks increase education and enforcement efforts. Through leveraging partnerships in the public and private sector, FLSD will work collaboratively to continue providing compliance assistance to employers and increasing public awareness of workplace protections. In FY24, the department is working with the Illinois Department of Human Rights and the Illinois Coalition of Immigrant and Refugee Rights to support the migrant, refugee and asylum seeker population with labor rights education, especially educating parents and children, in preventing the exploitation of minors in the workplace.