



One Day of Rest in Seven Act

820 ILCS 140: New Amendments Effective
January 1, 2023

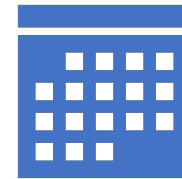
Overview of NEW & Existing Provisions

- 24 hours of rest within 7 consecutive days
- Additional 20-minute meal break if working a 12-hour shift
- Penalties by employer size per offense
- Poster Requirements



One Day Off Each Week

- Every employee must receive 24 consecutive hours of rest in each calendar week.
- **NEW REQUIREMENT:** Employees must have one day of rest in every consecutive seven-day period.
- **Example:** Employee is scheduled to work Wednesday through the following Monday. The employee must have that following Tuesday off, because to work Wednesday through Tuesday is be considered 7 consecutive days.





Meal Break Required

- 20 minutes required within five hours of starting time for all employees required to work 7 1/2 hours or longer.
- NEW/ADD'L Requirements:
 - Employees must have an additional 20-minute meal break if working a 12-hour shift or longer.
 - Reasonable bathroom breaks do not count towards the meal break.
 - If a collective bargaining agreement does not specify meal breaks, ODRISA provisions apply.

EXAMPLE: A worker who is scheduled to work from 8 am to 8 pm must be allowed to take a first meal break before 1 pm; and a second meal break before 6 pm.

ODRISA Exceptions



- Watchmen and security guards
- Employees who work less than 20 hours per week
- Agricultural & Coal Mining employees
- Government employees
- Employees of certain seasonal producers
- Executive, administrative, or professional capacity or outside salesman, per the federal Fair Labor Standards Act.
- Employees for whom work hours, days of work, and rest periods are established through the collective bargaining process.
 - If no agreement exists addressing provisions, ODRISA Applies.

Relaxation of One Day Off Requirement Permit on IDOL website



<https://labor.illinois.gov/laws-rules/fls/odrisa-permit-application.html>

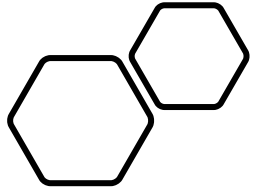
Relaxation of One Day Off Requirement (con't)



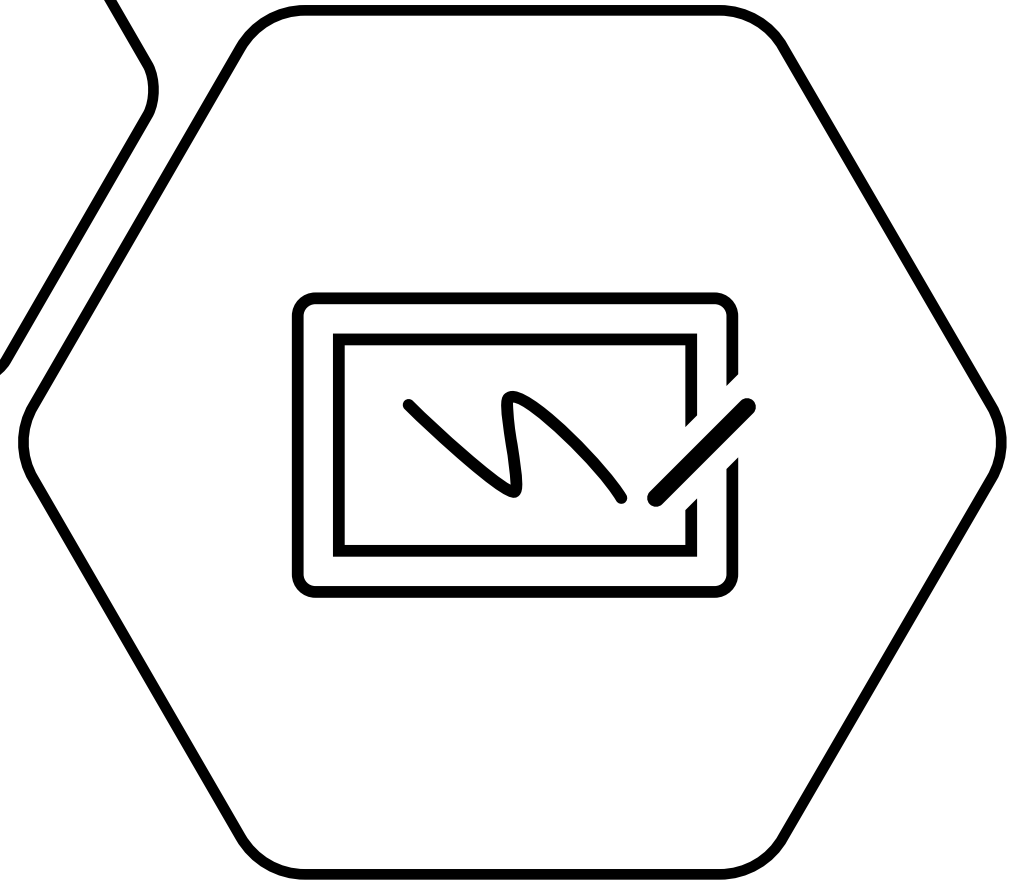
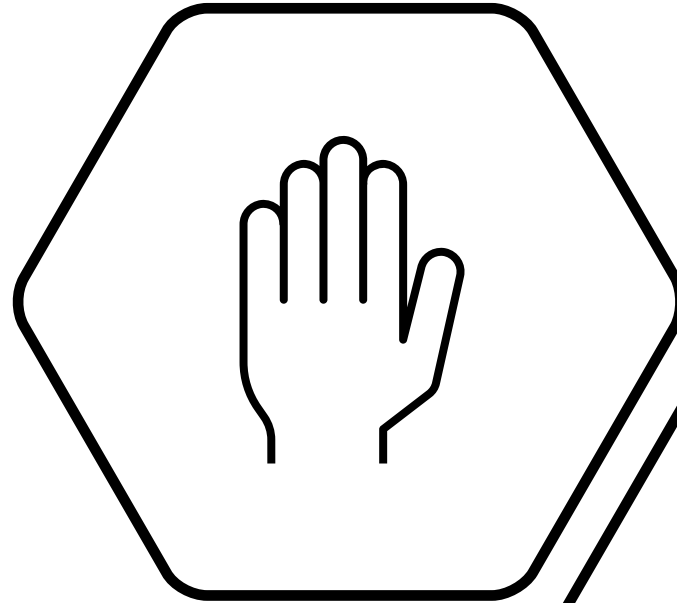
Eight Weeks may be granted each year.



Additional weeks may be granted if justified by necessity and a day of rest cannot be remedied by increasing the number of employees or adjusting production schedules.



Employers may request a relaxation of this requirement of the Day Off Requirement. If IDOL grants a relaxation, it requires a statement from the employer demonstrating:



Written request received prior to the work

All work must be voluntary

NEW Penalties By Employer Size



Fewer than 25 employees:

Up to \$250 per offense AND a penalty to the Department up to \$250 per employee per offense.

More than 25 employees:

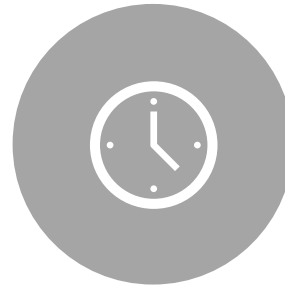
Up to \$500 per offense AND a penalty to the Department up to \$500 per worker per offense.

Each day a meal is not provided to an employee AND each 24 hours off within 7 consecutive days is not provided to an employee shall constitute a separate offenses per employee

Record keeping



Two years retention



Hours worked each day
and each week



Start Time, End time and
Lunch hours



Open to inspection by
IDOL

Poster Requirement:
Employers must post
in a conspicuous
place on their
premises and made
electronically
available for remote
employees



State of Illinois
Department of Labor

Your Rights Under Illinois Employment Laws

Wage Increases Schedule	
Effective Jan. 1, 2022	\$12.00
Effective Jan. 1, 2023	\$13.00
Effective Jan. 1, 2024	\$14.00
Effective Jan. 1, 2025	\$15.00

Minimum Wage \$12.00 per hour (Effective Jan. 1, 2022) and Overtime Hotline: 1-800-478-3998

- **Coverage:** Applies to employers with 4 or more employees. Domestic workers are covered even if the employer only has 1 worker. Certain workers are not covered by the Minimum Wage Law and some workers may be paid less than the minimum wage under limited conditions. For more information, visit our website. (See wage increases schedule above.)
- **Tipped Employees:** Must be paid at least 60% of the applicable minimum wage. If an employee's tips combined with the wages from the employer do not equal the minimum wage, the employer must make up the difference.
- **Overtime:** Most hourly employees and some salaried employees are covered by the overtime law and must be compensated at time and one-half of their regular pay for hours worked over 40 in a workweek.

Unpaid Wages Hotline: 1-312-793-2808

Wage Payment and Collection Act

- Employees must receive their final compensation, including earned wages, vacation pay, commissions and bonuses on their next regularly scheduled payday.
- Unauthorized deductions from paychecks are not allowed except as specified by law.
- Employers must reimburse employees for all necessary expenditures or losses incurred by an employee during the scope of employment and related to services performed for the employer. Employee must submit reimbursement request within 30 calendar days unless an employer policy allows for additional time to submit.

Meal and Rest Periods Hotline: 1-312-793-2804

One Day Rest in Seven Act

- Provides employees with 24 consecutive hours of rest each calendar week.
- Employers may obtain permits from the Department allowing employees to voluntarily work seven consecutive days.
- Employees working 7 ½ continuous hours must be allowed a meal period of at least 20 minutes no later than 5 hours after the start of work.

Equal Pay Act Hotline: 1-866-372-4365

- Requires employers to pay equal wages to men and women doing the same or substantially similar work, unless such wage differences are based upon a seniority system, a merit system, or factors other than gender.
- Employers and employment agencies are banned from asking applicants past wage and compensation histories.
- Employees may disclose or discuss their own salaries, benefits, and other compensation with their co-workers and colleagues.
- Employers are not allowed to pay less to African American employees versus a non-African American employees.
- Certain employees at large businesses may request wage/salary history for their job title from IDOL.

Violent Crime Victims' Leave

Hotline: 1-866-372-4365

Provides employees who are victims of domestic, gender, or sexual violence, or other crimes of violence, or who have family members who are victims with up to 12 weeks of unpaid leave during a 12-month period.

Child Labor Hotline: 1-800-645-5784

Workers under Age 16

- Children under the age of 14 may not work in most jobs, except under limited conditions.
- 14 and 15-year-olds may work if the following requirements are met:
 - Employment certificates have been issued by the school district and filed with the Department of Labor confirming that a minor is old enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education;
 - The work is not deemed a hazardous occupation (a full listing can be found on our website);
 - Work is limited to 3 hours per day on school days, 8 hours per day on non-school days and no more than 6 days or 48 hours per week;
 - Work is performed only between the hours of 7 a.m. to 7 p.m. during the school year (7 a.m. to 9 p.m. June through September); and
 - A 30-minute meal period is provided no later than the fifth hour of work.

This is a summary of laws that satisfies Illinois Department of Labor posting requirements. For a complete text of the laws, visit our website at:

www.labor.illinois.gov

For more information or to file a complaint, contact us at: 524 South 2nd St, Suite 400, Springfield, IL 62701 • Springfield 217-782-6206
160 N. LaSalle, St, Suite C-1300, Chicago, IL 60601 • Chicago 312-793-2800 • Marion 618-993-7090

Reminder: Minimum Wage Increase to \$13 per hour

- \$7.80 of Tipped Workers
- \$10.50 Youths (under 18) working less than 650 hours per calendar year.

Wage Increases Schedule

Effective Jan. 1, 2022	\$12.00
Effective Jan. 1, 2023	\$13.00
Effective Jan. 1, 2024	\$14.00
Effective Jan. 1, 2025	\$15.00



Thank you & Questions

Illinois Department of Labor
Fair Labor Standards Division
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Chicago, IL 60601
Website: Labor.Illinois.gov
312-793-2804

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