

# Existing Labor Standards Protections and Enforcement

Source of Law	Enforcement
Federal: Fair Labor Standards Act	USDOL, private right of action
State: Minimum Wage Act, Wage Payment Collection Act, many more	Illinois Department of Labor (IDOL); some private right of action
Local: City and Municipal Ordinances	Complaint to City or County

# Labor Standards - State

## MIN WAGE LAW, 820 ILCS 105

- \$12 an hour
- payment for all hours worked
- overtime pay (1.5 regular rate) for all hours worked in excess of 40 in a week
- Municipalities can set higher wage

# Labor Standards - State

## ONE DAY REST IN SEVEN ACT (ODRISA)

- Requires at least 24 hours of rest in a week
- At least 20 minute meal period in 7.5 hour shift

# Labor Standards - State

## IL WAGE PAYMENT AND COLLECTION LAW

- Right to complete payment of promised wages & benefits
- Paid at least twice per month
- Notice of all deductions
- Specifies acceptable forms of wage payment & no fees to get wages

# Labor Standards - State

## IL DAY AND TEMPORARY LABOR SVCS ACT

- Regulates temporary staffing agencies
- Required notices for temp workers
- Joint liability for wage violations
- No charge for transportation to job site
- Limits “conversion” fees

# Labor Standards - State

## EMPLOYEE CLASSIFICATION ACT

- Misclassification of employee as independent contractor is standalone violation in construction and landscaping industries.
- Required information sharing with other agencies (DES, DOR).

# Addressing Barriers to Employment



Equal Pay Act: prohibits differences in pay based on sex or race



Prohibitions against asking about salary history



Recent addition of aggregate pay data reporting by larger employers

# Other Factors in Labor Standards

Organizing &  
protected  
concerted activity

Collective  
bargaining

Labor market  
Competition