

ILLINOIS Labor Laws

Employment Laws

Department of Labor

This is a summary of laws that satisfies Illinois Department of Labor posting requirements.

Your Rights Under Illinois Employment Laws

The mission of the Illinois Department of Labor is to protect and promote the wages, welfare, working conditions, and safety of Illinois workers by enforcing State labor and employment laws, providing compliance assistance to employers, and increasing public awareness of workplace protections. Through enforcement, education, and community partnerships, the Department works to ensure that workers are paid what they are owed and that employers who follow the law remain competitive.

Minimum Wage & Overtime

SETS MINIMUM WAGE FOR EMPLOYEES
Effective Jan. 1, 2025

\$15.00 PER HOUR

Applies to employers with 1 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.

\$9.00 PER HOUR

Applies to tipped employees. If an employee's tips combined with the wages from the employer do not equal the minimum wage, a minor is able enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education;

\$13.00 PER HOUR

Applies to youths (under 18) working fewer than 650 hours per calendar year.

Overtime

Most hourly employees and some salaried employees are covered by the overtime law and must be compensated at time and one-half their regular pay for hours worked over 40 in a workweek.

Hotline: 1-800-478-3998

Child Labor

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 18 hours per week when school is in session or 40 hours per week when school is not in session.
- 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.

Hotline: 1-800-645-5784

Unpaid Wages

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.
- Employer must provide an employee with a paystub for every pay period.

Hotline: 1-312-793-2808



For more information or to file a complaint, contact the Department at:

524 SOUTH 2ND ST, SUITE 400, SPRINGFIELD, IL 62701 (217) 782-6206
160 N. LA SALLE, ST. SUITE C-1300, CHICAGO, IL 60601 (312) 793-2800
2309 W. MAIN STREET, SUITE 115 MARION, IL 62959 (618) 993-7090

For a complete text of the laws, visit our website: www.laborillinois.gov

THIS NOTICE MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES OF THE EMPLOYER WHERE OTHER NOTICES ARE POSTED.

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REV. 12/2024

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Freedom of Speech

Department of Labor

Worker Freedom of Speech Act

(820 ILCS 57/1)
Sec. 1. Short title. This Act may be cited as the Worker Freedom of Speech Act.

(Source: PA. 103-722, eff. 1-1-25.)

(820 ILCS 57/5)

Sec. 5. Findings, legislative intent.

(a) The General Assembly finds that it is in the public policy interests of the State for all working Illinoisans to have protections from mandatory participation in employer-sponsored meetings if the meeting is designed to communicate an employee's position on religious or political matters.

(b) Employees should not be subject to intimidation tactics, acts of retaliation, discipline, or discharge from the employer for choosing not to participate in employer-sponsored meetings.

(Source: PA. 103-722, eff. 1-1-25.)

(820 ILCS 57/10)

Sec. 10. Definitions. As used in this Act:

"Department" means the Department of Labor.

"Director" means the Director of Labor.

"Employee" has the meaning given in Section 2 of the Illinois Wage Payment and Collection Act. "Employer" includes the State or any political subdivision of the State, unit of local government, or State or local government agency.

"Interested party" means an organization that monitors or is attentive to compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements.

"Political matters" means matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, proposals to change public policy, and the decision to join or support any political party or political, civic, community, fraternal, or labor organization.

"Religious matters" means matters relating to religious belief, affiliation, and practice and the decision to join or support any religious organization or association.

"Voluntary" means, with respect to an action, that the action is not:

- (i) incentivized by a positive change in any employment condition, including, but not limited to, any form of compensation or any other benefit of employment; and
- (ii) taken under threat of a negative change in any employment condition for non-attendance, including, but not limited to, the provisions set forth in Section 15, any negative performance evaluation, or any other adverse change in any form of compensation or any other benefit of employment.

(Source: PA. 103-722, eff. 1-1-25.)

(820 ILCS 57/15)

Sec. 15. Employee protections. An employer or the employer's agent, representative, or designee may not discharge, discipline, or otherwise penalize, threaten to discharge, discipline, or otherwise penalize, or take any adverse employment action against an employee:

- (1) because the employee declines to attend or participate in an employer-sponsored meeting or declines to receive or listen to communications from the employer or the agent, representative, or designee of the employer if the meeting or communication is to communicate the opinion of the employee about religious matters or political matters;

- (2) as means of inducing an employee to attend or participate in meetings or receive or listen to communications described in paragraph (1); or

(c) because the employee, or a person acting on behalf of the employee, makes a good faith report, orally or in writing, of a violation or a suspected violation of this Act.

(Source: PA. 103-722, eff. 1-1-25.)

(820 ILCS 57/20)

Sec. 20. Right of action. An aggrieved employee may bring a civil action to enforce any provision of this Act no later than one year after the date of the alleged violation.

A civil action may be brought by one or more employees for and on behalf of themselves and other employees similarly situated. The court may award a prevailing employee all appropriate relief, including injunctive relief, reinstatement to the employee's former position or an equivalent position, back pay, reinstatement of any employee benefits, including seniority, to which the employee would otherwise have been eligible if the violation had not occurred, and any other appropriate relief as deemed necessary by the court to make the employee whole. The court shall award a prevailing employee reasonable attorney's fees and costs.

(Source: PA. 103-722, eff. 1-1-25.)

(820 ILCS 57/25)

Sec. 25. Powers of the Department and civil penalties.

(a) The Department shall inquire into any alleged violations of this Act, brought to its attention by an interested party to enforce the actions for the penalties provided in this Section and to enforce the provisions of this Act. In addition to the relief set forth in Section 20, an employer shall be assessed a civil penalty of \$1,000 for each violation of Section 15, payable to the Department. Each employee who is subject to a violation of Section 15 shall constitute a separate violation.

(b) Upon a reasonable belief that an employer covered by this Act is in violation of any part of this Act, an interested party may assert that a violation of this Act has occurred and bring an action for penalties in the county where the violation is alleged to have occurred or where the principal office of the employer is located, pursuant to the following sequence of events:

- (1) The interested party submits to the Department a complaint describing the violation and naming the employee alleged to have violated this Act.

(2) The Department sends notice of complaint to the named party alleged to have violated this Act and the interested party. The named party may either contest the alleged violation or cure the alleged violation.

(3) The named party contests or cures the alleged violation within 30 days after the receipt of the notice of complaint, or, if the named party does not respond within 30 days, the Department issues a notice of right to sue to the interested party as described in paragraph (4).

(4) The Department issues a notice of right to sue to the interested party, if one or more of the following has occurred:

- (A) the named party has cured the alleged violation to the satisfaction of the Director;
- (B) the Director has determined that the allegation is unjustified or that the Department does not have jurisdiction over the matter or the parties; or
- (C) the Director has determined that the allegation is justified or has not made a determination, and either has decided not to exercise jurisdiction over the matter or has concluded administrative enforcement of the matter.

(5) Within 180 days after service of the notice of complaint to the parties, the Department has not (i) resolved the contest and cure period, (ii) with the mutual agreement of the parties, extended the time for the named party to cure the violation and resolve the complaint, or (iii) issued a right to sue letter, the interested party may initiate a civil action for penalties. The parties may extend the 180-day period by mutual agreement. The limitations period for the interested party to bring an action for the alleged violation of this Act shall be tolled for the 180-day period and for the period of any mutually agreed extensions. At the end of the 180-day period, or any mutually agreed extensions, the Department shall issue a right to sue letter to the interested party.

Unemployment Ins.

Department of Employment Security

NOTICE to workers about Unemployment Insurance Benefits

THE POSTING OF THIS NOTICE IS REQUIRED BY THE ILLINOIS UNEMPLOYMENT INSURANCE ACT.

FILING A CLAIM

The Illinois Unemployment Insurance Act provides for the payment of benefits to eligible unemployed workers and for the collection of employer contributions from liable employers. It is designed to provide living expenses while new employment is sought. Claims should be filed as soon as possible after separation from employment. Claims can be filed online at www.ides.illinois.gov or at the nearest Illinois Department of Employment Security office to the worker's home. To be eligible for benefits, an unemployed individual must be available for work, able to work and actively seeking work and, in addition, must not be disqualified under any provisions of the Illinois Unemployment Insurance Act.

Each employer shall deliver the pamphlet "What Every Worker Should Know About Unemployment Insurance" to each worker separated from employment for an expected duration of seven or more days. The pamphlet shall be delivered to the worker at the time of separation or, if delivery is impracticable, mailed within five days after the date of the separation to the worker's last known address. Pamphlets shall be supplied by the Illinois Department of Employment Security to each employer without cost.

A claimant may also be entitled to receive, in addition to the weekly benefit amount, an allowance for a non-working spouse or a dependent child or children. The allowance is a percentage of the average weekly wage of the claimant in his or her base period. The weekly benefit amount plus any allowance for a dependent make up the total amount payable.

If, during a calendar week an employee does not work full-time because of lack of work, he or she may be eligible for partial benefits if the wages earned in such calendar week are less than his or her weekly benefit amount. For any such week, employers should provide employees with a statement of "low earnings" which should be taken to their Illinois Department of Employment Security office.

NOTE: Illinois unemployment insurance benefits are paid from a trust fund to which only employers contribute. No deductions may be made from the wages of workers for this purpose.

Unemployment insurance information is available from any Illinois Department of Employment Security office. To locate the office nearest you, call 1-800-244-5631 or access the locations through our website at www.ides.illinois.gov.

BENEFITS

Every claimant who files a new claim for unemployment insurance benefits must serve an unpaid waiting week for which he has filed and is otherwise eligible.

The claimant's weekly benefit amount is usually a percentage of the worker's average weekly wage. The worker's average weekly wage is computed by dividing the wages paid during the two highest quarters of the base period by 26. The maximum weekly

This poster fulfills all posting requirements for the Illinois Department of Employment Security.

EMPLOYERS ARE REQUIRED TO POST THIS NOTICE IN A CONSPICUOUS PLACE FOR ALL EMPLOYEES.

REV. 08/2012

Payday

Wage Payment and Collection Act

Payday Notice

The Illinois Wage Payment and Collection Act, 820 ILCS 115/10 (from Ch. 48, par. 39n-10), requires employers to post and keep posted at each regular place of business in a position easily accessible to all employees one or more notices indicating the regular paydays and the place and time for payment.

FOR EMPLOYEES OF: _____ (Company Name)

REGULAR PAYDAYS SHALL BE AS FOLLOWS: _____

PLACE AND TIME OF PAYMENT: _____

REV. 08/2012

Workers' Comp.

Workers' Compensation Commission

Workers' Compensation

Workers' Compensation is a system of benefits provided by law to most workers who have job-related injuries or illnesses. Benefits are paid for injuries that are caused, in whole or in part, by an employee's work. This may include the aggravation of a pre-existing condition, injuries brought on by the repetitive use of a part of the body, heart attacks, or any other physical problem caused by work. Benefits are paid regardless of fault.

IF YOU HAVE A WORK-RELATED INJURY OR ILLNESS, TAKE THE FOLLOWING STEPS:

- GET MEDICAL ASSISTANCE.** By law, your employer must pay for all necessary medical services required to cure or relieve the effects of the injury or illness. Where necessary, the employer must also pay for physical, mental, or vocational rehabilitation, within prescribed limits. The employer may choose two physicians, surgeons, or hospitals. If the employer notifies you that it has an approved Preferred Provider Program for workers' compensation, the PPP counts as one of your two choices of providers.
- NOTIFY YOUR EMPLOYER.** You must notify your employer of the accidental injury or illness within 45 days, either orally or in writing. To avoid possible delays, it is recommended the notice also include your name, address, telephone number, Social Security number, and a brief description of the injury or illness.
- LEARN YOUR RIGHTS.** Your employer is required by law to report accidents that result in more than three lost work days to the Workers' Compensation Commission. Once the accident is reported, you should receive a handbook that explains the law, benefits, and procedures. If you need a handbook, please call the Commission or go to the Web site.

If you must lose time from work to recover from the injury or illness, you may be entitled to receive weekly payments and necessary medical care until you are able to return to work that is reasonably available to you.

- KEEP WITHIN THE TIME LIMITS.** Generally, claims must be filed within three years of the injury or disability from an occupational disease, or within two years of the last worker's compensation payment, whichever is later. Claims for pneumoconiosis, radiological exposure, asbestosis, or similar diseases have special requirements.

Injured workers have the right to reopen their case within 30 months after an award is made if the disability increases, but cases that are resolved by a lump-sum settlement contract approved by the Commission cannot be reopened. Only settlements approved by the Commission are binding.

For more information, go to the Illinois Workers' Compensation Commission's Web site or call any office:

Chicago: 312/814-6500

Collinsville: 618/346-3450

Peoria: 312/814-6500

Rockford: 312/814-6500

Springfield: 217/785-7087

TDD (Deaf): 866/383-4370

Web site: www.ilwc.org

BY LAW, EMPLOYERS MUST DISPLAY THIS NOTICE IN A PROMINENT PLACE IN EACH WORKPLACE AND COMPLETE THE INFORMATION BELOW.

PARTY HANDLING WORKERS' COMPENSATION CLAIMS: _____

TERMINATION DATE: _____

POLICY NUMBER: _____

EMPLOYEE'S FEIN: _____

ICPN /1/2025

REV. 1/2025

Pregnancy Rights

Department of Human Rights — IDHR

Pregnancy and your RIGHTS in the WORKPLACE

Are you pregnant, recovering from childbirth, or do you have a medical or common condition related to pregnancy?

If so, you have the right to:

- Ask your employer for a reasonable accommodation for your pregnancy, such as more frequent bathroom breaks, assistance with heavy work, a private space for expressing milk, or time off to recover from your pregnancy.
- Reject an unreasonable accommodation offered by your employer for your pregnancy.
- Continue working during your pregnancy if a reasonable accommodation is available which would allow you to continue performing your job.

Your employer cannot:

- Discriminate against you because of your pregnancy.
- Retaliate against you because you requested a reasonable accommodation.

It is illegal for your employer to fire you, refuse to hire you or to refuse to provide you with a reasonable accommodation because of your pregnancy. For more information regarding your rights, download the Illinois Department of Human Rights' fact sheet from our website at dhr.illinois.gov

Es ilegal que su empleador la desista, se niegue a contratarla o a proporcionarle una adaptación razonable a causa de su embarazo. Para obtener información sobre el embarazo y sus derechos en el lugar de trabajo en español, visite dhr.illinois.gov

IDHR ENG. web.

REV. 02/2023

Paid Leave

Department of Labor

PAID LEAVE FOR ALL WORKERS ACT NOTICE

Employers must provide employees with up to 40 hours of paid leave for any reason.

Paid Leave

- Workers:** Earn up to five (5) days per year of paid leave from work.
- Use:** Workers can use paid leave for any reason of their choosing. Employers cannot require workers to provide a reason for their time off request. Employers may not require, as a condition of taking leave, that the employee search for a replacement worker.
- Accrual:** Workers earn 1 hour of paid leave for every 40 hours they work.
- Carryover:** Workers rollover all unused paid leave at the end of the year.
- Retaliation is prohibited:** Penalties may apply to employers that take adverse action against workers who exercise their rights under this law.

Penalties

Workers may recover the amount they should have been paid for the leave, penalties, and other equitable relief.

Filing a Complaint

A worker may file a complaint with the Illinois Department of Labor alleging a violation of this Act by filing out a complaint form at laborillinois.gov/paidleave.

Existing Policy and Exclusions

Certain exceptions may apply for employers who already provide their workers with paid leave. There are also certain categories of workers that are not covered by the law.

See QR code for more information on how to file a complaint and applicable exceptions to the law.



For a complete text of the laws, visit our website at: www.laborillinois.gov

For more information or to file a Complaint, contact us at: DOLPaidLeave@illinois.gov

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REV. 12/2023

Discrimination

Department of Human Rights — IDHR

YOU HAVE THE RIGHT TO BE FREE FROM

JOBL DISCRIMINATION AND SEXUAL HARASSMENT.

The Illinois Human Rights Act states that you have **the right to be free from unlawful discrimination and sexual harassment.** This means that employers may not treat people differently based on race, age, gender, pregnancy, disability, sexual orientation or any other protected class named in the Act. This applies to all employer actions, including hiring, promotion, discipline and discharge.

REASONABLE ACCOMMODATIONS

You also have the right to reasonable accommodations based on pregnancy and disability. This means you can ask for reasonable changes to your job if needed because you are pregnant or disabled.

RETALIATION

It is also unlawful for employers to treat people differently because they have reported discrimination, participated in an investigation, or helped others exercise their right to complain about discrimination.

REPORT DISCRIMINATION

To report discrimination, you may:

- Contact your employer's human resources or personnel department.
- Contact the Illinois Department of Human Rights (IDHR) to file a charge.

Website: dhr.illinois.gov

Email: IDHR.Intake@illinois.gov

Employers shall make this poster available and display it where employees can readily see it.

This notice is available for download at: www.illinois.gov/dhr

version : IDHR 9/2022

REV. 09/2022

ISERRA

Office of the Attorney General

YOUR RIGHTS UNDER THE ILLINOIS SERVICE MEMBER EMPLOYMENT & REEMPLOYMENT RIGHTS ACT (330 ILCS 61)

ISERRA (Illinois version of USERRA) protects the employment and benefits of service members who leave their civilian employment to serve our Nation or State. In order to protect the common public interest in military service, it is the role of the Illinois Attorney General to promote awareness and ensure compliance with ISERRA by providing information, training, advocacy, and enforcement.

WHO IS PROTECTED?

- All members of the Armed Forces of the United States whether active duty or reserve, including the National Guard when performing State duty.
- All members of Military Auxiliary Radio System, United States Coast Guard Reserve, Civil Air Patrol, and the Merchant Marines when performing official duties in support of an emergency.
- Members who are released from military duty with follow-on care by the Department of Defense.

WHAT ARE THE RIGHTS, BENEFITS AND OBLIGATIONS UNDER ISERRA?

ISERRA provides the same protections as USERRA (i.e., reemployment, benefits and discrimination) but expands protections to persons identified above and incorporates existing benefits to service members who are public employees. Because ISERRA represents the minimum employee requirements, employers maintain the right to provide greater benefits at their discretion.

WHO ENFORCES ISERRA?

The ISERRA Advocate is an Assistant Attorney General appointed by the Illinois Attorney General to provide both advocacy and enforcement under ISERRA.

WHERE TO FIND MORE INFORMATION?

Both service members and employers can find more information on the Attorney General's ISERRA Advocate webpage at <https://illinoisattorneygeneral.gov/rights-of-the-people/military-and-veterans-rights/> or call the Military & Veterans Rights Helpline at 1-800-382-3000 to ask questions or request training.

This notice is available for download on the Attorney General's website by going to <https://illinoisattorneygeneral.gov/rights-of-the-people/military-and-veterans-rights/>. Employers are required to provide employees entitled to rights and benefits under ISERRA a notice of the rights, benefits, and obligations of service member employees. This requirement may be met by the posting of this notice where employers customarily place notices for employees. ISERRA is codified as Public Act 100-1101 and can be found at www.ilga.gov/legislation/publicacts/100/PDF/100-1101.pdf.

This material is available in alternate format upon request.

REV. 06/2023

VESSA

Department of Labor

Victims' Economic Security and Safety Act (VESSA) REQUIRED NOTICE FOR EMPLOYERS

VESSA provides employees who are victims of domestic violence, sexual violence, gender violence, or any other crime of violence, and employers who have a family or household member who is a victim of such violence, with unpaid, job-guaranteed leave, reasonable accommodations, and protections from discrimination and retaliation.