**Section 250.105 Definitions**

"Act" means the Child Labor Law [820 ILCS 205].

"Agriculture", for purposes of Sections 1, 2 and 9 of the Act, means farming in all of its branches and, among other things, includes:

the cultivation and tillage of the soil;

dairying;

the production, cultivation, growing and harvesting of any agricultural commodity (including commodities defined as agricultural commodities in section 15(g) of the U.S. Agricultural Marketing Act (12 USC 1141 et seq.));

the raising of livestock, bees, furbearing animals, or poultry; and

any practices (including any forestry or lumbering operations) performed by a farmer or on a farm incident to, or in conjunction with, these farming operations, including preparation for market and delivery to storage, to market, or to carriers for transportation to market.

The phrase "incident to or in conjunction with" shall not include construction, by a private contractor, of farm buildings on a farm.

"Chaperone" means a parent or legal guardian of a child performer, or a person over 18 years of age designated by the parents or legal guardians of a child performer. A chaperone shall supervise one or more child performers acting in their best interest, when the child performers are on set, in wardrobe or make-up services, or on bathroom breaks.

"Child performer" means an unemancipated person under the age of 16 who is employed in this State and who performs on live or pre-recorded radio or television, or in motion pictures, or in other entertainment-related performances.

"Day" means a calendar day.

"Department of Labor" or "Department" means the Illinois Department of Labor, its Director, and the Director's authorized representatives.

"Employed" means the relationship between a minor and an employer in which a minor performs services for the benefit of an employer with the actual or implicit knowledge of the employer. The presence of a minor on an employer's premises performing work shall constitute prima facie evidence of the minor's employment.

"Employer" means any individual, partnership, association, corporation, business trust, enterprise, or any person or group of persons acting directly or indirectly in the interest of an employer in relationship to a minor.

"Employment Certificate" means the certificate authorizing employment of a minor that is issued by an authorized agent of the Regional or District Superintendent of Schools under Section 10 of the Act.

"Enterprise" means an activity defined by section 3 of the Fair Labor Standards Act of 1938 (29 USC 203(r) and (s)).

"Filling Station" or "Service Station" means, in the phrase "in or about any filling station or service station" (see Section 17 of the Act) those areas used for convenience and/or grocery stores at a filling station or service station.

"Gainful Occupation", for purposes of the Act, means any service, trade, business, profession, or calling a minor pursues with the reasonable expectation of compensation.

"Garage", for purposes of Section 7 of the Act, means, but is not limited to, establishments selling and/or repairing automobiles, trucks, farm implements, and other vehicles capable of being propelled by their own power, and their premises, except that office employment shall not be prohibited.

"Minor" means persons who have not attained their sixteenth birthday. For the purposes of the Act and this Part, persons attaining their sixteenth birthday shall no longer be considered minors.

"Permitted or Allowed" means the imposition of liability on a person who does not directly employ a minor in violation of the Act, but has sufficient control over the employer to discover the illegal employment and sever the employment relationship.

"Place of Employment", for purposes of Section 250.302, means the physical location, as designated by the employer, where a performance takes place. Remote-based performances, including but not limited to home-based performances, where performances are made possible through internet-based capabilities, are also considered work sites that require written consent from the parent or legal guardian and employer, as reflected in the employment certificate.

"Premises", as used in Sections 6 and 7 of the Act, means a specified employer's buildings, grounds and appurtenances, but does not include the designated space of separate and independent employers conducting business under a common roof.

"Registered Nurse" means a person licensed under the Illinois Nurse Practice Act [225 ILCS 65] as a Registered Professional Nurse (RN) or Advanced Practice Registered Nurse (APRN), with experience in pediatrics.

"School Day", for purposes of Section 250.302, means any day on which the child performer receives educational instruction in order to meet minimum attendance and academic requirements of Section 26-1 of the School Code [105 ILCS 5].

"School Hours", for purposes of Section 250.302, means time offered by the employer to provide appropriate school instruction for the child performer to meet minimum attendance and academic requirements of Section 26-1 of the School Code [105 ILCS 5].

"Studio Teacher", for purposes of Section 250.302, means a person who has obtained a Professional Educator License (PEL) with teaching endorsements as provided in Article 21B of the School Code [105 ILCS 5] and 23 Ill. Adm. Code 25, and is hired by the employer to provide academic, appropriate instruction, in accordance with the teacher's license, for each child performer on days when the child would otherwise be provided traditional academic instruction and may be charged with duties to protect the health, safety and well-being of the child performer on set.

"Television, Motion Picture, or Related Entertainment Production", as used in Section 8.1(b) of the Act, means films, videotape or television programming of theatrical, commercial or documentary presentations viewed by a member of the general public in a theater or on a television screen.

"Time Record" means an accurate time record for each minor employed. Time records shall include the following information for each minor: name, address, date of birth, starting and ending dates of employment, starting and ending times of each work day, starting and ending time of each meal break, and number of hours worked daily and weekly.

"Week" means the calendar week, i.e., that seven consecutive day period beginning at 12:01 a.m. on Sunday morning and ending on the following Saturday night at midnight.

"Work" means all times during which an employed minor is required, permitted or allowed to be on the employer's premises or at a prescribed work place.

(Source: Amended at 45 Ill. Reg. 14174, effective November 1, 2021)