**Section 350.100 Trade Secrets**

a) *All information reported to or otherwise obtained by the Director of Labor or* the Director's *representative in connection with any inspection or proceeding under* the *Act or any standard, rule, regulation, or order adopted or issued under the Act which contains or might reveal a trade secret shall be considered confidential, except that such information may be disclosed confidentially to other officers or employees concerned with carrying out* the *Act or when relevant to any proceeding under* the *Act . In any such proceeding, the Director or the court shall issue such orders as may be appropriate, including the impoundment of files, or portions of files, to protect the confidentiality of trade secrets*. (Sec. 125 of the Act)

b) *A person who discloses a trade secret in violation of* Section 125 of the Act and this Section commits *a Class B misdemeanor*. (Sec. 125 of the Act)

c) At the commencement of an inspection, the employer may identify areas in the establishment that contain or might reveal a trade secret. If the Enforcement Inspector has no clear reason to question the identification, information obtained in those areas, including all negatives and prints of photographs and environmental samples, shall be labeled "Confidential − Trade Secret" and shall not be disclosed.

d) Upon the request of an employer, any authorized representative of employees in an area containing trade secrets shall be an employee in that area or an employee authorized by the employer to enter that area. When there is no such representative or employee, the Inspector shall consult with a reasonable number of employees who work in that area concerning matters of safety and health.

(Source: Amended at 46 Ill. Reg. 3518, effective February 15, 2022)