**Section 2732.230 Domestic Service**

a) For purposes of applying Sections 211.5 and 215 of the Act [820 ILCS 405/211.5 and 215], the following terms have the meanings set forth in this subsection (a):

1) A "private home" is the fixed place of abode of the individual or family for whom the worker is performing services. A separate and distinct dwelling unit maintained by an individual as a residence, such as a hotel room, boat or trailer, can be a "private home". A room or suite in a nursing home can be a "private home", provided that the facts and circumstances of the particular case indicate that the room or suite is, in fact, the place where the individual retains his residence. A home utilized primarily for the purpose of supplying board or lodging to the public as a business enterprise is not a "private home".

A) EXAMPLE: An individual who travels to the home of the child's parents to provide babysitting services for a child is performing services in a private home, while an individual who provides babysitting services in her own home would not be performing services in a private home.

B) EXAMPLE: A worker who provides cooking services in a bed and breakfast establishment in which the owner resides is not performing services in a private home.

2) A "local college club" or "local chapter of a college fraternity or sorority" does not include an alumni club or chapter.

3) "Domestic service" means service of a household nature, including service performed by cooks, waiters, butlers, housekeepers, housemothers, governesses, maids, valets, babysitters, janitors, launderers, furnacemen, caretakers, handymen, gardeners, footmen, grooms, and chauffeurs of automobiles for family use. Service not of a household nature, such as by a private secretary, nurse, tutor, or librarian, is not domestic service.

EXAMPLE: An individual who performs only caretaking services, such as bathing the individual, combing an individual's hair, reading, arranging bedding and clothing, doing laundry and preparing and serving meals is performing domestic service, even though he may be characterized as a health care worker. Registered or licensed practical nurses, or individuals responsible for providing professional or semiprofessional services such as physical therapy or giving intravenous medication, are not performing domestic service.

b) In determining whether an employing unit has paid $1,000 or more in wages in a calendar quarter for domestic service in a private home, local college club or local chapter of a college fraternity or sorority, all wages paid for domestic service in those locations to all individuals who performed domestic service in those locations for the employing unit are included.

EXAMPLE: Company A provides housekeepers to perform services in private homes. Each individual housekeeper is paid $250 in each calendar quarter by Company A. If 4 or more housekeepers are employed by Company A in a calendar quarter, their services will constitute "employment" under the Act. In order for the services provided to Company A to be excluded from "employment" under Section 211.5 of the Act, the total wages for domestic service paid to all of the housekeepers provided by Company A must be less than $1,000 for the quarter.

c) Domestic service that is performed in other than a private home, local college club or local chapter of a college fraternity or sorority is not subject to the provisions of Sections 211.5 and 215 of the Act. However, it may be excluded from "employment" by the provisions of Section 206 of the Act if the service is not provided for an "employer" under Section 205 of the Act, or it may be excluded from "employment" under Section 212 of the Act.

(Source: Amended at 43 Ill. Reg. 6449, effective May 14, 2019)