



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2952

Introduced 2/16/2023, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

820 ILCS 140/3

from Ch. 48, par. 8c

Amends the One Day Rest In Seven Act. Provides that every employer shall permit its employees who are to work for 7 1/2 continuous hours at least 30 minutes (rather than 20 minutes) for a meal period beginning no later than 5 hours after the start of the work period. Provides that an employee who works in excess of 7 1/2 continuous hours shall be entitled to an additional 30-minute (rather than 20-minute) meal period for every additional 4 1/2 continuous hours worked.

LRB103 00026 SPS 45026 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The One Day Rest In Seven Act is amended by
5 changing Section 3 as follows:

6 (820 ILCS 140/3) (from Ch. 48, par. 8c)

7 (Text of Section before amendment by P.A. 102-828)

8 Sec. 3. Every employer shall permit its employees who are
9 to work for 7 1/2 continuous hours or longer, except those
10 specified in this Section, at least 20 minutes for a meal
11 period beginning no later than 5 hours after the start of the
12 work period.

13 This Section does not apply to employees for whom meal
14 periods are established through the collective bargaining
15 process.

16 This Section does not apply to employees who monitor
17 individuals with developmental disabilities or mental illness,
18 or both, and who, in the course of those duties, are required
19 to be on call during an entire 8 hour work period; however,
20 those employees shall be allowed to eat a meal during the 8
21 hour work period while continuing to monitor those
22 individuals.

23 This Section does not apply to individuals who are

1 employed by a private company and licensed under the Emergency
2 Medical Services (EMS) Systems Act, are required to be on call
3 during an entire 8-hour work period, and are not local
4 government employees; however, those individuals shall be
5 allowed to eat a meal during the 8-hour work period while on
6 call.

7 (Source: P.A. 100-1067, eff. 8-24-18.)

8 (Text of Section after amendment by P.A. 102-828)

9 Sec. 3. Every employer shall permit its employees who are
10 to work for 7 1/2 continuous hours, except those specified in
11 this Section, at least 30 ~~20~~ minutes for a meal period
12 beginning no later than 5 hours after the start of the work
13 period. An employee who works in excess of 7 1/2 continuous
14 hours shall be entitled to an additional 30-minute ~~20-minute~~
15 meal period for every additional 4 1/2 continuous hours
16 worked. For purposes of this Section, a meal period does not
17 include reasonable time spent using the restroom facilities.

18 This Section does not apply to employees for whom meal
19 periods are established through the collective bargaining
20 process.

21 This Section does not apply to employees who monitor
22 individuals with developmental disabilities or mental illness,
23 or both, and who, in the course of those duties, are required
24 to be on call during an entire 8 hour work period; however,
25 those employees shall be allowed to eat a meal during the 8

1 hour work period while continuing to monitor those
2 individuals.

3 This Section does not apply to individuals who are
4 employed by a private company and licensed under the Emergency
5 Medical Services (EMS) Systems Act, are required to be on call
6 during an entire 8-hour work period, and are not local
7 government employees; however, those individuals shall be
8 allowed to eat a meal during the 8-hour work period while on
9 call.

10 (Source: P.A. 102-828, eff. 1-1-23.)

11 Section 95. No acceleration or delay. Where this Act makes
12 changes in a statute that is represented in this Act by text
13 that is not yet or no longer in effect (for example, a Section
14 represented by multiple versions), the use of that text does
15 not accelerate or delay the taking effect of (i) the changes
16 made by this Act or (ii) provisions derived from any other
17 Public Act.