



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2621

Introduced 10/24/2023, by Sen. Dale Fowler

SYNOPSIS AS INTRODUCED:

See Index

Amends the Day and Temporary Labor Services Act. Provides that, if there is not a directly hired comparative employee of the third party client, the day or temporary laborer shall be paid not less than the rate of pay (rather than the rate of pay and equivalent benefits) of the lowest paid direct hired employee of the company with the closest level of seniority at the company. Provides that, before the assignment of an employee to a worksite employer, a day and temporary labor service agency must notify a day or temporary laborer of any safety and health training that the day and temporary labor service agency or the third party client are responsible for providing to the day or temporary laborer, including any training required by the Occupational Health and Safety Administration. Provides that the definition of "day and temporary labor service agency" does not include a person or entity who employs laborers that require specialized training or education, including, but not limited to, machine operators, machine maintenance technicians, or quality technicians. Provides that the definition of "day and temporary labor service agency" does not include a staffing and recruiting agency. Defines "staffing and recruiting agency". Provides that that the amended version of Public Act 103-427 takes effect on and after January 1, 2025. Makes other changes. Effective immediately.

LRB103 34222 SPS 64047 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 Day and Temporary Labor Services Act is
5 amended by changing Sections 2, 5, 11, 30, 42, 45, 50, 55, 67,
6 70, and 85 and by adding Sections 2a, 5a, 30a, 45a, 50a, 55a,
7 70a, and 85a as follows:

8 (820 ILCS 175/2)

9 Sec. 2. Legislative findings.

10 (a) The General Assembly finds as follows:

11 Since the passage of this Act, the number of workers who
12 work as day or temporary laborers in Illinois has risen from
13 approximately 300,000 to more than 650,000 according to data
14 collected by the Department of Labor.

15 Since the passage of this Act, the number of day labor and
16 temporary labor service agencies registered in Illinois has
17 risen from approximately 150 with 600 branch offices to over
18 300 with over 800 branch offices. In addition, there still
19 exists a significant, though unknown, number of unregistered
20 day labor and temporary labor service agencies that operate
21 outside the radar of law enforcement.

22 Recent studies and a survey of low-wage day or temporary
23 laborers themselves have consistently found that as a group,

1 they are particularly vulnerable to abuse of their labor
2 rights, including unpaid wages, failure to pay for all hours
3 worked, minimum wage and overtime violations, and unlawful
4 deductions from pay for meals, transportation, equipment, and
5 other items.

6 Current law is inadequate to protect the labor and
7 employment rights of these workers.

8 At the same time, in Illinois and in other states,
9 democratically run nonprofit day labor centers, which charge
10 no fee for their services, have been established to provide an
11 alternative for day or temporary laborers to solicit work on
12 street corners. These centers are not subject to this Act.

13 (b) This Section is effective on and after January 1,
14 2025.

15 (Source: P.A. 103-437, eff. 8-4-23.)

16 (820 ILCS 175/2a new)

17 Sec. 2a. Legislative Findings.

18 (a) The General Assembly finds as follows:

19 Over 300,000 workers work as day or temporary laborers in
20 Illinois.

21 Approximately 150 day labor and temporary labor service
22 agencies with nearly 600 branch offices are licensed
23 throughout Illinois. In addition, there is a large, though
24 unknown, number of unlicensed day labor and temporary labor
25 service agencies that operate outside the radar of law

1 enforcement.

2 Recent studies and a survey of low-wage day or temporary
3 laborers themselves finds that as a group, they are
4 particularly vulnerable to abuse of their labor rights,
5 including unpaid wages, failure to pay for all hours worked,
6 minimum wage and overtime violations, and unlawful deduction
7 from pay for meals, transportation, equipment and other items.

8 Current law is inadequate to protect the labor and
9 employment rights of these workers.

10 At the same time, in Illinois and in other states,
11 democratically run nonprofit day labor centers, which charge
12 no fee for their services, have been established to provide an
13 alternative for day or temporary laborers to solicit work on
14 street corners. These centers are not subject to this Act.

15 (b) This Section is repealed on January 1, 2025.

16 (820 ILCS 175/5)

17 Sec. 5. Definitions.

18 (a) As used in this Act:

19 "Day or temporary laborer" means a natural person who
20 contracts for employment with a day and temporary labor
21 service agency.

22 "Day and temporary labor" means work performed by a day or
23 temporary laborer at a third party client, the duration of
24 which may be specific or undefined, pursuant to a contract or
25 understanding between the day and temporary labor service

1 agency and the third party client. "Day and temporary labor"
2 does not include labor or employment of a professional or
3 clerical nature.

4 "Day and temporary labor service agency" means any person
5 or entity engaged in the business of employing day or
6 temporary laborers to provide services, for a fee, to or for
7 any third party client pursuant to a contract with the day and
8 temporary labor service agency and the third party client.

9 "Day and temporary labor service agency" does not include a
10 person or entity who employs laborers that require specialized
11 training or education, including, but not limited to, machine
12 operators, machine maintenance technicians, or quality
13 technicians. "Day and temporary labor service agency" does not
14 include a staffing and recruiting agency.

15 "Department" means the Department of Labor.

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

19 "Third party client" means any person that contracts with
20 a day and temporary labor service agency for obtaining day or
21 temporary laborers.

22 "Person" means every natural person, firm, partnership,
23 co-partnership, limited liability company, corporation,
24 association, business trust, or other legal entity, or its
25 legal representatives, agents, or assigns.

26 "Staffing and recruiting agency" means any person or

1 entity that recruits, screens, interviews, and assesses
2 individuals for project, contract-to-hire, and direct hire
3 positions.

4 (b) This Section is effective on and after January 1,
5 2025.

6 (Source: P.A. 103-437, eff. 8-4-23.)

7 (820 ILCS 175/5a new)

8 Sec. 5a. Definitions.

9 (a) As used in this Act:

10 "Day or temporary laborer" means a natural person who
11 contracts for employment with a day and temporary labor
12 service agency.

13 "Day and temporary labor" means work performed by a day or
14 temporary laborer at a third party client, the duration of
15 which may be specific or undefined, pursuant to a contract or
16 understanding between the day and temporary labor service
17 agency and the third party client. "Day and temporary labor"
18 does not include labor or employment of a professional or
19 clerical nature.

20 "Day and temporary labor service agency" means any person
21 or entity engaged in the business of employing day or
22 temporary laborers to provide services, for a fee, to or for
23 any third party client pursuant to a contract with the day and
24 temporary labor service agency and the third party client.

25 "Department" means the Department of Labor.

1 "Third party client" means any person that contracts with
2 a day and temporary labor service agency for obtaining day or
3 temporary laborers.

4 "Person" means every natural person, firm, partnership,
5 co-partnership, limited liability company, corporation,
6 association, business trust, or other legal entity, or its
7 legal representatives, agents, or assigns.

8 (b) This Section is repealed on January 1, 2025.

9 (820 ILCS 175/11)

10 Sec. 11. Right to refuse assignment to a labor dispute.

11 (a) No day and temporary labor service agency may send a
12 day or temporary laborer to a place where a strike, a lockout,
13 or other labor trouble exists without providing, at or before
14 the time of dispatch, a statement, in writing and in a language
15 that the day and temporary laborer understands, informing the
16 day or temporary laborer of the labor dispute and the day or
17 temporary laborer's right to refuse the assignment without
18 prejudice to receiving another assignment.

19 (b) The failure by a day and temporary labor service
20 agency to provide any of the information required by this
21 Section shall constitute a notice violation under Section 95.
22 The failure of a day and temporary labor service agency to
23 provide each piece of information required by this Section at
24 each time it is required by this Section shall constitute a
25 separate and distinct notice violation. If a day and temporary

1 labor service agency claims that it has provided a notice as
2 required under this Section electronically, the day and
3 temporary labor service agency shall bear the burden of
4 showing that the notice was provided if there is a dispute.

5 (c) This Section is effective on and after January 1,
6 2025.

7 (Source: P.A. 103-437, eff. 8-4-23.)

8 (820 ILCS 175/30)

9 Sec. 30. Wage payment and notice.

10 (a) At the time of payment of wages, a day and temporary
11 labor service agency shall provide each day or temporary
12 laborer with a detailed itemized statement, on the day or
13 temporary laborer's paycheck stub or on a form approved by the
14 Department, listing the following:

15 (1) the name, address, and telephone number of each
16 third party client at which the day or temporary laborer
17 worked. If this information is provided on the day or
18 temporary laborer's paycheck stub, a code for each third
19 party client may be used so long as the required
20 information for each coded third party client is made
21 available to the day or temporary laborer;

22 (2) the number of hours worked by the day or temporary
23 laborer at each third party client each day during the pay
24 period. If the day or temporary laborer is assigned to
25 work at the same work site of the same third party client

1 for multiple days in the same work week, the day and
2 temporary labor service agency may record a summary of
3 hours worked at that third party client's worksite so long
4 as the first and last day of that work week are identified
5 as well. The term "hours worked" has the meaning ascribed
6 to that term in 56 Ill. Adm. Code 210.110 and in accordance
7 with all applicable rules or court interpretations under
8 56 Ill. Adm. Code 210.110;

9 (3) the rate of payment for each hour worked,
10 including any premium rate or bonus;

11 (4) the total pay period earnings;

12 (5) all deductions made from the day or temporary
13 laborer's compensation made either by the third party
14 client or by the day and temporary labor service agency,
15 and the purpose for which deductions were made, including
16 for the day or temporary laborer's transportation, food,
17 equipment, withheld income tax, withheld social security
18 payments, and every other deduction; and

19 (6) any additional information required by rules
20 issued by the Department.

21 (a-1) For each day or temporary laborer who is contracted
22 to work a single day, the third party client shall, at the end
23 of the work day, provide such day or temporary laborer with a
24 Work Verification Form, approved by the Department, which
25 shall contain the date, the day or temporary laborer's name,
26 the work location, and the hours worked on that day. Any third

1 party client who violates this subsection (a-1) may be subject
2 to a civil penalty of not less than \$100 and not more than
3 \$1,500 for each violation found by the Department. Such civil
4 penalty shall increase to not less than \$500 and not more than
5 \$7,500 for a second or subsequent violation. For purposes of
6 this subsection (a-1), each violation of this subsection (a-1)
7 for each day or temporary laborer and for each day the
8 violation continues shall constitute a separate and distinct
9 violation.

10 (b) A day and temporary labor service agency shall provide
11 each worker an annual earnings summary within a reasonable
12 time after the preceding calendar year, but in no case later
13 than February 1. A day and temporary labor service agency
14 shall, at the time of each wage payment, give notice to day or
15 temporary laborers of the availability of the annual earnings
16 summary or post such a notice in a conspicuous place in the
17 public reception area.

18 (c) At the request of a day or temporary laborer, a day and
19 temporary labor service agency shall hold the daily wages of
20 the day or temporary laborer and make either weekly,
21 bi-weekly, or semi-monthly payments. The wages shall be paid
22 in a single check, or, at the day or temporary laborer's sole
23 option, by direct deposit or other manner approved by the
24 Department, representing the wages earned during the period,
25 either weekly, bi-weekly, or semi-monthly, designated by the
26 day or temporary laborer in accordance with the Illinois Wage

1 Payment and Collection Act. Vouchers or any other method of
2 payment which is not generally negotiable shall be prohibited
3 as a method of payment of wages. Day and temporary labor
4 service agencies that make daily wage payments shall provide
5 written notification to all day or temporary laborers of the
6 right to request weekly, bi-weekly, or semi-monthly checks.
7 The day and temporary labor service agency may provide this
8 notice by conspicuously posting the notice at the location
9 where the wages are received by the day or temporary laborers.

10 (d) No day and temporary labor service agency shall charge
11 any day or temporary laborer for cashing a check issued by the
12 agency for wages earned by a day or temporary laborer who
13 performed work through that agency. No day and temporary labor
14 service agency or third party client shall charge any day or
15 temporary laborer for the expense of conducting any consumer
16 report, as that term is defined in the Fair Credit Reporting
17 Act, 15 U.S.C. 1681a(d), any criminal background check of any
18 kind, or any drug test of any kind.

19 (e) Day or temporary laborers shall be paid no less than
20 the wage rate stated in the notice as provided in Section 10 of
21 this Act for all the work performed on behalf of the third
22 party client in addition to the work listed in the written
23 description.

24 (f) The total amount deducted for meals, equipment, and
25 transportation may not cause a day or temporary laborer's
26 hourly wage to fall below the State or federal minimum wage.

1 However, a day and temporary labor service agency may deduct
2 the actual market value of reusable equipment provided to the
3 day or temporary laborer by the day and temporary labor
4 service agency which the day or temporary laborer fails to
5 return, if the day or temporary laborer provides a written
6 authorization for such deduction at the time the deduction is
7 made.

8 (g) A day or temporary laborer who is contracted by a day
9 and temporary labor service agency to work at a third party
10 client's worksite but is not utilized by the third party
11 client shall be paid by the day and temporary labor service
12 agency for a minimum of 4 hours of pay at the agreed upon rate
13 of pay. However, in the event the day and temporary labor
14 service agency contracts the day or temporary laborer to work
15 at another location during the same shift, the day or
16 temporary laborer shall be paid by the day and temporary labor
17 service agency for a minimum of 2 hours of pay at the agreed
18 upon rate of pay.

19 (h) A third party client is required to pay wages and
20 related payroll taxes to a licensed day and temporary labor
21 service agency for services performed by the day or temporary
22 laborer for the third party client according to payment terms
23 outlined on invoices, service agreements, or stated terms
24 provided by the day and temporary labor service agency. A
25 third party client who fails to comply with this subsection
26 (h) is subject to the penalties provided in Section 70 of this

1 Act. The Department shall review a complaint filed by a
2 licensed day and temporary labor agency. The Department shall
3 review the payroll and accounting records of the day and
4 temporary labor service agency and the third party client for
5 the period in which the violation of this Act is alleged to
6 have occurred to determine if wages and payroll taxes have
7 been paid to the agency and that the day or temporary laborer
8 has been paid the wages owed him or her.

9 (i) This Section is effective on and after January 1,
10 2025.

11 (Source: P.A. 103-437, eff. 8-4-23.)

12 (820 ILCS 175/30a new)

13 Sec. 30a. Wage Payment and Notice.

14 (a) At the time of payment of wages, a day and temporary
15 labor service agency shall provide each day or temporary
16 laborer with a detailed itemized statement, on the day or
17 temporary laborer's paycheck stub or on a form approved by the
18 Department, listing the following:

19 (1) the name, address, and telephone number of each
20 third party client at which the day or temporary laborer
21 worked. If this information is provided on the day or
22 temporary laborer's paycheck stub, a code for each third
23 party client may be used so long as the required
24 information for each coded third party client is made
25 available to the day or temporary laborer;

1 (2) the number of hours worked by the day or temporary
2 laborer at each third party client each day during the pay
3 period. If the day or temporary laborer is assigned to
4 work at the same work site of the same third party client
5 for multiple days in the same work week, the day and
6 temporary labor service agency may record a summary of
7 hours worked at that third party client's worksite so long
8 as the first and last day of that work week are identified
9 as well. The term "hours worked" has the meaning ascribed
10 to that term in 56 Ill. Adm. Code 210.110 and in accordance
11 with all applicable rules or court interpretations under
12 56 Ill. Adm. Code 210.110;

13 (3) the rate of payment for each hour worked,
14 including any premium rate or bonus;

15 (4) the total pay period earnings;

16 (5) all deductions made from the day or temporary
17 laborer's compensation made either by the third party
18 client or by the day and temporary labor service agency,
19 and the purpose for which deductions were made, including
20 for the day or temporary laborer's transportation, food,
21 equipment, withheld income tax, withheld social security
22 payments, and every other deduction; and

23 (6) any additional information required by rules
24 issued by the Department.

25 (a-1) For each day or temporary laborer who is contracted
26 to work a single day, the third party client shall, at the end

1 of the work day, provide such day or temporary laborer with a
2 Work Verification Form, approved by the Department, which
3 shall contain the date, the day or temporary laborer's name,
4 the work location, and the hours worked on that day. Any third
5 party client who violates this subsection (a-1) may be subject
6 to a civil penalty not to exceed \$500 for each violation found
7 by the Department. Such civil penalty may increase to \$2,500
8 for a second or subsequent violation. For purposes of this
9 subsection (a-1), each violation of this subsection (a-1) for
10 each day or temporary laborer and for each day the violation
11 continues shall constitute a separate and distinct violation.

12 (b) A day and temporary labor service agency shall provide
13 each worker an annual earnings summary within a reasonable
14 time after the preceding calendar year, but in no case later
15 than February 1. A day and temporary labor service agency
16 shall, at the time of each wage payment, give notice to day or
17 temporary laborers of the availability of the annual earnings
18 summary or post such a notice in a conspicuous place in the
19 public reception area.

20 (c) At the request of a day or temporary laborer, a day and
21 temporary labor service agency shall hold the daily wages of
22 the day or temporary laborer and make either weekly,
23 bi-weekly, or semi-monthly payments. The wages shall be paid
24 in a single check, or, at the day or temporary laborer's sole
25 option, by direct deposit or other manner approved by the
26 Department, representing the wages earned during the period,

1 either weekly, bi-weekly, or semi-monthly, designated by the
2 day or temporary laborer in accordance with the Illinois Wage
3 Payment and Collection Act. Vouchers or any other method of
4 payment which is not generally negotiable shall be prohibited
5 as a method of payment of wages. Day and temporary labor
6 service agencies that make daily wage payments shall provide
7 written notification to all day or temporary laborers of the
8 right to request weekly, bi-weekly, or semi-monthly checks.
9 The day and temporary labor service agency may provide this
10 notice by conspicuously posting the notice at the location
11 where the wages are received by the day or temporary laborers.

12 (d) No day and temporary labor service agency shall charge
13 any day or temporary laborer for cashing a check issued by the
14 agency for wages earned by a day or temporary laborer who
15 performed work through that agency. No day and temporary labor
16 service agency or third party client shall charge any day or
17 temporary laborer for the expense of conducting any consumer
18 report, as that term is defined in the Fair Credit Reporting
19 Act, 15 U.S.C. 1681a(d), any criminal background check of any
20 kind, or any drug test of any kind.

21 (e) Day or temporary laborers shall be paid no less than
22 the wage rate stated in the notice as provided in Section 10 of
23 this Act for all the work performed on behalf of the third
24 party client in addition to the work listed in the written
25 description.

26 (f) The total amount deducted for meals, equipment, and

1 transportation may not cause a day or temporary laborer's
2 hourly wage to fall below the State or federal minimum wage.
3 However, a day and temporary labor service agency may deduct
4 the actual market value of reusable equipment provided to the
5 day or temporary laborer by the day and temporary labor
6 service agency which the day or temporary laborer fails to
7 return, if the day or temporary laborer provides a written
8 authorization for such deduction at the time the deduction is
9 made.

10 (g) A day or temporary laborer who is contracted by a day
11 and temporary labor service agency to work at a third party
12 client's worksite but is not utilized by the third party
13 client shall be paid by the day and temporary labor service
14 agency for a minimum of 4 hours of pay at the agreed upon rate
15 of pay. However, in the event the day and temporary labor
16 service agency contracts the day or temporary laborer to work
17 at another location during the same shift, the day or
18 temporary laborer shall be paid by the day and temporary labor
19 service agency for a minimum of 2 hours of pay at the agreed
20 upon rate of pay.

21 (h) A third party client is required to pay wages and
22 related payroll taxes to a licensed day and temporary labor
23 service agency for services performed by the day or temporary
24 laborer for the third party client according to payment terms
25 outlined on invoices, service agreements, or stated terms
26 provided by the day and temporary labor service agency. A

1 third party client who fails to comply with this subsection
2 (h) is subject to the penalties provided in Section 70 of this
3 Act. The Department shall review a complaint filed by a
4 licensed day and temporary labor agency. The Department shall
5 review the payroll and accounting records of the day and
6 temporary labor service agency and the third party client for
7 the period in which the violation of this Act is alleged to
8 have occurred to determine if wages and payroll taxes have
9 been paid to the agency and that the day or temporary laborer
10 has been paid the wages owed him or her.

11 (i) This Section is repealed on January 1, 2025.

12 (820 ILCS 175/42)

13 Sec. 42. Equal pay for equal work.

14 (a) A day or temporary laborer who is assigned to work at a
15 third party client for more than 90 calendar days shall be paid
16 not less than the rate of pay ~~and equivalent benefits~~ as the
17 lowest paid directly hired employee of the third party client
18 with the same level of seniority at the company and performing
19 the same or substantially similar work on jobs the performance
20 of which requires substantially similar skill, effort, and
21 responsibility, and that are performed under similar working
22 conditions. If there is not a directly hired comparative
23 employee of the third party client, the day or temporary
24 laborer shall be paid not less than the rate of pay ~~and~~
25 ~~equivalent benefits~~ of the lowest paid direct hired employee

1 of the company with the closest level of seniority at the
2 company. ~~A day and temporary labor service agency may pay the~~
3 ~~hourly cash equivalent of the actual cost benefits in lieu of~~
4 ~~benefits required under this Section.~~ Upon request, a third
5 party client to which a day or temporary laborer has been
6 assigned for more than 90 calendar days shall be obligated to
7 timely provide the day and temporary labor service agency with
8 all necessary information related to job duties and ~~pay~~, ~~and~~
9 ~~benefits~~ of directly hired employees necessary for the day and
10 temporary labor service agency to comply with this Section.
11 The failure by a third party client to provide any of the
12 information required under this Section shall constitute a
13 notice violation by the third party client under Section 95.
14 For purposes of this Section, the day and temporary labor
15 service agency shall be considered a person aggrieved as
16 described in Section 95.

17 (b) This Section is effective on and after January 1,
18 2025.

19 (Source: P.A. 103-437, eff. 8-4-23.)

20 (820 ILCS 175/45)

21 Sec. 45. Registration; Department of Labor.

22 (a) A day and temporary labor service agency which is
23 located, operates or transacts business within this State
24 shall register with the Department of Labor in accordance with
25 rules adopted by the Department for day and temporary labor

1 service agencies and shall be subject to this Act and any rules
2 adopted under this Act. Each day and temporary labor service
3 agency shall provide proof of an employer account number
4 issued by the Department of Employment Security for the
5 payment of unemployment insurance contributions as required
6 under the Unemployment Insurance Act, and proof of valid
7 workers' compensation insurance in effect at the time of
8 registration covering all of its employees. If, at any time, a
9 day and temporary labor service agency's workers' compensation
10 insurance coverage lapses, the agency shall have an
11 affirmative duty to report the lapse of such coverage to the
12 Department and the agency's registration shall be suspended
13 until the agency's workers' compensation insurance is
14 reinstated. The Department may assess each day and temporary
15 labor service agency a non-refundable registration fee not
16 exceeding \$3,000 ~~\$1,000~~ per year per agency and a
17 non-refundable fee not to exceed \$750 ~~\$250~~ for each branch
18 office or other location where the agency regularly contracts
19 with day or temporary laborers for services. The fee may be
20 paid by check, money order, or the State Treasurer's E-Pay
21 program or any successor program, and the Department may not
22 refuse to accept a check on the basis that it is not a
23 certified check or a cashier's check. The Department may
24 charge an additional fee to be paid by a day and temporary
25 labor service agency if the agency, or any person on the
26 agency's behalf, issues or delivers a check to the Department

1 that is not honored by the financial institution upon which it
2 is drawn. The Department shall also adopt rules for violation
3 hearings and penalties for violations of this Act or the
4 Department's rules in conjunction with the penalties set forth
5 in this Act.

6 (a-1) At the time of registration with the Department of
7 Labor each year, the day and temporary labor service agency
8 shall submit to the Department of Labor a report containing
9 the information identified in paragraph (9) of subsection (a)
10 of Section 12, broken down by branch office, in the aggregate
11 for all day or temporary laborers assigned within Illinois and
12 subject to this Act during the preceding year. This
13 information shall be submitted on a form created by the
14 Department of Labor. The Department of Labor shall aggregate
15 the information submitted by all registering day and temporary
16 labor service agencies by removing identifying data and shall
17 have the information available to the public only on a
18 municipal and county basis. As used in this paragraph,
19 "identifying data" means any and all information that: (i)
20 provides specific information on individual worker identity;
21 (ii) identifies the service agency in any manner; and (iii)
22 identifies clients utilizing the day and temporary labor
23 service agency or any other information that can be traced
24 back to any specific registering day and temporary labor
25 service agency or its client. The information and reports
26 submitted to the Department of Labor under this subsection by

1 the registering day and temporary labor service agencies are
2 exempt from inspection and copying under Section 7.5 of the
3 Freedom of Information Act.

4 (b) It is a violation of this Act to operate a day and
5 temporary labor service agency without first registering with
6 the Department in accordance with subsection (a) of this
7 Section. The Department shall create and maintain at regular
8 intervals on its website, accessible to the public: (1) a list
9 of all registered day and temporary labor service agencies in
10 the State whose registration is in good standing; (2) a list of
11 day and temporary labor service agencies in the State whose
12 registration has been suspended, including the reason for the
13 suspension, the date the suspension was initiated, and the
14 date, if known, the suspension is to be lifted; and (3) a list
15 of day and temporary labor service agencies in the State whose
16 registration has been revoked, including the reason for the
17 revocation and the date the registration was revoked. The
18 Department has the authority to assess a penalty against any
19 day and temporary labor service agency that fails to register
20 with the Department of Labor in accordance with this Act or any
21 rules adopted under this Act of \$500 for each violation. Each
22 day during which a day and temporary labor service agency
23 operates without registering with the Department shall be a
24 separate and distinct violation of this Act.

25 (c) An applicant is not eligible to register to operate a
26 day and temporary labor service agency under this Act if the

1 applicant or any of its officers, directors, partners, or
2 managers or any owner of 25% or greater beneficial interest:

3 (1) has been involved, as owner, officer, director,
4 partner, or manager, of any day and temporary labor
5 service agency whose registration has been revoked or has
6 been suspended without being reinstated within the 5 years
7 immediately preceding the filing of the application; or

8 (2) is under the age of 18.

9 (d) Every agency shall post and keep posted at each
10 location, in a position easily accessible to all employees,
11 notices as supplied and required by the Department containing
12 a copy or summary of the provisions of the Act and a notice
13 which informs the public of a toll-free telephone number for
14 day or temporary laborers and the public to file wage dispute
15 complaints and other alleged violations by day and temporary
16 labor service agencies. Such notices shall be in English or
17 any other language generally understood in the locale of the
18 day and temporary labor service agency.

19 (e) This Section is effective on and after January 1,
20 2025.

21 (Source: P.A. 100-517, eff. 6-1-18.)

22 (820 ILCS 175/45a new)

23 Sec. 45a. Registration; Department of Labor.

24 (a) A day and temporary labor service agency which is
25 located, operates or transacts business within this State

1 shall register with the Department of Labor in accordance with
2 rules adopted by the Department for day and temporary labor
3 service agencies and shall be subject to this Act and any rules
4 adopted under this Act. Each day and temporary labor service
5 agency shall provide proof of an employer account number
6 issued by the Department of Employment Security for the
7 payment of unemployment insurance contributions as required
8 under the Unemployment Insurance Act, and proof of valid
9 workers' compensation insurance in effect at the time of
10 registration covering all of its employees. If, at any time, a
11 day and temporary labor service agency's workers' compensation
12 insurance coverage lapses, the agency shall have an
13 affirmative duty to report the lapse of such coverage to the
14 Department and the agency's registration shall be suspended
15 until the agency's workers' compensation insurance is
16 reinstated. The Department may assess each day and temporary
17 labor service agency a non-refundable registration fee not
18 exceeding \$1,000 per year per agency and a non-refundable fee
19 not to exceed \$250 for each branch office or other location
20 where the agency regularly contracts with day or temporary
21 laborers for services. The fee may be paid by check, money
22 order, or the State Treasurer's E-Pay program or any successor
23 program, and the Department may not refuse to accept a check on
24 the basis that it is not a certified check or a cashier's
25 check. The Department may charge an additional fee to be paid
26 by a day and temporary labor service agency if the agency, or

1 any person on the agency's behalf, issues or delivers a check
2 to the Department that is not honored by the financial
3 institution upon which it is drawn. The Department shall also
4 adopt rules for violation hearings and penalties for
5 violations of this Act or the Department's rules in
6 conjunction with the penalties set forth in this Act.

7 (a-1) At the time of registration with the Department of
8 Labor each year, the day and temporary labor service agency
9 shall submit to the Department of Labor a report containing
10 the information identified in paragraph (9) of subsection (a)
11 of Section 12, broken down by branch office, in the aggregate
12 for all day or temporary laborers assigned within Illinois and
13 subject to this Act during the preceding year. This
14 information shall be submitted on a form created by the
15 Department of Labor. The Department of Labor shall aggregate
16 the information submitted by all registering day and temporary
17 labor service agencies by removing identifying data and shall
18 have the information available to the public only on a
19 municipal and county basis. As used in this paragraph,
20 "identifying data" means any and all information that: (i)
21 provides specific information on individual worker identity;
22 (ii) identifies the service agency in any manner; and (iii)
23 identifies clients utilizing the day and temporary labor
24 service agency or any other information that can be traced
25 back to any specific registering day and temporary labor
26 service agency or its client. The information and reports

1 submitted to the Department of Labor under this subsection by
2 the registering day and temporary labor service agencies are
3 exempt from inspection and copying under Section 7.5 of the
4 Freedom of Information Act.

5 (b) It is a violation of this Act to operate a day and
6 temporary labor service agency without first registering with
7 the Department in accordance with subsection (a) of this
8 Section. The Department shall create and maintain at regular
9 intervals on its website, accessible to the public: (1) a list
10 of all registered day and temporary labor service agencies in
11 the State whose registration is in good standing; (2) a list of
12 day and temporary labor service agencies in the State whose
13 registration has been suspended, including the reason for the
14 suspension, the date the suspension was initiated, and the
15 date, if known, the suspension is to be lifted; and (3) a list
16 of day and temporary labor service agencies in the State whose
17 registration has been revoked, including the reason for the
18 revocation and the date the registration was revoked. The
19 Department has the authority to assess a penalty against any
20 day and temporary labor service agency that fails to register
21 with the Department of Labor in accordance with this Act or any
22 rules adopted under this Act of \$500 for each violation. Each
23 day during which a day and temporary labor service agency
24 operates without registering with the Department shall be a
25 separate and distinct violation of this Act.

26 (c) An applicant is not eligible to register to operate a

1 day and temporary labor service agency under this Act if the
2 applicant or any of its officers, directors, partners, or
3 managers or any owner of 25% or greater beneficial interest:

4 (1) has been involved, as owner, officer, director,
5 partner, or manager, of any day and temporary labor
6 service agency whose registration has been revoked or has
7 been suspended without being reinstated within the 5 years
8 immediately preceding the filing of the application; or

9 (2) is under the age of 18.

10 (d) Every agency shall post and keep posted at each
11 location, in a position easily accessible to all employees,
12 notices as supplied and required by the Department containing
13 a copy or summary of the provisions of the Act and a notice
14 which informs the public of a toll-free telephone number for
15 day or temporary laborers and the public to file wage dispute
16 complaints and other alleged violations by day and temporary
17 labor service agencies. Such notices shall be in English or
18 any other language generally understood in the locale of the
19 day and temporary labor service agency.

20 (e) This Section is repealed on January 1, 2025.

21 (820 ILCS 175/50)

22 Sec. 50. Violations.

23 (a) The Department shall have the authority to deny,
24 suspend, or revoke the registration of a day and temporary
25 labor service agency if warranted by public health and safety

1 concerns or violations of this Act. The Attorney General,
2 pursuant to its authority under Section 6.3 of the Attorney
3 General Act, may request that a circuit court suspend or
4 revoke the registration of a day and temporary labor service
5 agency when warranted by public health concern or violations
6 of this Act. The Attorney General shall provide notice to the
7 Director prior to requesting the suspension or revocation of
8 the registration of a day and temporary labor service agency.

9 (b) This Section is effective on and after January 1,
10 2025.

11 (Source: P.A. 103-437, eff. 8-4-23.)

12 (820 ILCS 175/50a new)

13 Sec. 50a. Violations.

14 (a) The Department shall have the authority to deny,
15 suspend, or revoke the registration of a day and temporary
16 labor service agency if warranted by public health and safety
17 concerns or violations of this Act.

18 (b) This Section is repealed on January 1, 2025.

19 (820 ILCS 175/55)

20 Sec. 55. Enforcement by the Department.

21 (a) It shall be the duty of the Department to enforce the
22 provisions of this Act. The Department shall have the power to
23 conduct investigations in connection with the administration
24 and enforcement of this Act and any investigator with the

1 Department shall be authorized to visit and inspect, at all
2 reasonable times, any places covered by this Act and shall be
3 authorized to inspect, at all reasonable times, contracts for
4 the employment of all day or temporary laborers entered into
5 by a third party client if the Department has received a
6 complaint indicating that the third party client may have
7 contracted with a day and temporary labor service agency that
8 is not registered under this Act. The Department shall conduct
9 hearings in accordance with the Illinois Administrative
10 Procedure Act upon written complaint by an investigator of the
11 Department or any interested person of a violation of the Act.
12 After the hearing, if supported by the evidence, the
13 Department may (i) issue and cause to be served on any party an
14 order to cease and desist from further violation of the Act,
15 (ii) take affirmative or other action as deemed reasonable to
16 eliminate the effect of the violation, (iii) deny, suspend, or
17 revoke any registration under this Act, and (iv) determine the
18 amount of any civil penalty allowed by the Act. The Director of
19 Labor or his or her representative may compel, by subpoena,
20 the attendance and testimony of witnesses and the production
21 of books, payrolls, records, papers, and other evidence in any
22 investigation or hearing and may administer oaths to
23 witnesses. Nothing in this Act applies to labor or employment
24 of a clerical or professional nature.

25 (b) This Section is effective on and after January 1,
26 2025.

1 (Source: P.A. 103-437, eff. 8-4-23.)

2 (820 ILCS 175/55a new)

3 Sec. 55a. Enforcement.

4 (a) It shall be the duty of the Department to enforce the
5 provisions of this Act. The Department shall have the power to
6 conduct investigations in connection with the administration
7 and enforcement of this Act and any investigator with the
8 Department shall be authorized to visit and inspect, at all
9 reasonable times, any places covered by this Act and shall be
10 authorized to inspect, at all reasonable times, contracts for
11 the employment of all day or temporary laborers entered into
12 by a third party client if the Department has received a
13 complaint indicating that the third party client may have
14 contracted with a day and temporary labor service agency that
15 is not registered under this Act. The Department shall conduct
16 hearings in accordance with the Illinois Administrative
17 Procedure Act upon written complaint by an investigator of the
18 Department or any interested person of a violation of the Act.
19 After the hearing, if supported by the evidence, the
20 Department may (i) issue and cause to be served on any party an
21 order to cease and desist from further violation of the Act,
22 (ii) take affirmative or other action as deemed reasonable to
23 eliminate the effect of the violation, (iii) deny, suspend, or
24 revoke any registration under this Act, and (iv) determine the
25 amount of any civil penalty allowed by the Act. The Director of

1 Labor or his or her representative may compel, by subpoena,
2 the attendance and testimony of witnesses and the production
3 of books, payrolls, records, papers, and other evidence in any
4 investigation or hearing and may administer oaths to
5 witnesses. Nothing in this Act applies to labor or employment
6 of a clerical or professional nature.

7 (b) This Section is repealed on January 1, 2025.

8 (820 ILCS 175/67)

9 Sec. 67. Action for civil penalties brought by an
10 interested party.

11 (a) Upon a reasonable belief that a day and temporary
12 labor service agency or a third party client covered by this
13 Act is in violation of any part of this Act, an interested
14 party may initiate a civil action in the county where the
15 alleged offenses occurred or where any party to the action
16 resides, asserting that a violation of the Act has occurred,
17 pursuant to the following sequence of events:

18 (1) The interested party submits to the Department of
19 Labor a complaint describing the violation and naming the
20 day or temporary labor service agency or third party
21 client alleged to have violated this Act.

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

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

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

9 (i) the named party has cured the alleged
10 violation to the satisfaction of the Director;

11 (ii) the Director has determined that the
12 allegation is unjustified or that the Department does
13 not have jurisdiction over the matter or the parties;
14 or

15 (iii) the Director has determined that the
16 allegation is justified or has not made a
17 determination, and either has decided not to exercise
18 jurisdiction over the matter or has concluded
19 administrative enforcement of the matter.

20 (b) If within 180 days after service of the notice of
21 complaint to the parties, the Department has not (i) resolved
22 the contest and cure period, (ii) with the mutual agreement of
23 the parties, extended the time for the named party to cure the
24 violation and resolve the complaint, or (iii) issued a right
25 to sue letter, the interested party may initiate a civil
26 action for penalties. The parties may extend the 180-day

1 period by mutual agreement. The limitations period for the
2 interested party to bring an action for the alleged violation
3 of the Act shall be tolled for the 180-day period and for the
4 period of any mutually agreed extensions. At the end of the
5 180-day period, or any mutually agreed extensions, the
6 Department shall issue a right to sue letter to the interested
7 party.

8 (c) Any claim or action filed under this Section must be
9 made within 3 years of the alleged conduct resulting in the
10 complaint plus any period for which the limitations period has
11 been tolled.

12 (d) In an action brought pursuant to this Section, an
13 interested party may recover against the covered entity any
14 statutory penalties set forth in Section 70 and injunctive
15 relief. An interested party who prevails in a civil action
16 shall receive 10% of any statutory penalties assessed, plus
17 any attorneys' fees and expenses in bringing the action. The
18 remaining 90% of any statutory penalties assessed shall be
19 deposited into the Child Labor and Day and Temporary Labor
20 Services Enforcement Fund and shall be used exclusively for
21 the purposes set forth in Section 17.3 of the Child Labor Law.

22 (e) This Section is effective on and after January 1,
23 2025.

24 (Source: P.A. 103-437, eff. 8-4-23.)

1 Sec. 70. Penalties.

2 (a) A day and temporary labor service agency or third
3 party client that violates any of the provisions of this Act or
4 any rule adopted under this Act shall be subject to a civil
5 penalty of not less than \$100 and not more than \$18,000 for
6 violations found in the first audit by the Department or
7 determined by a court in a civil action brought by an
8 interested party, or determined by a court in a civil action
9 brought by the Attorney General pursuant to its authority
10 under Section 6.3 of the Attorney General Act. Following a
11 first audit or civil action, a day and temporary labor service
12 agency or third party client shall be subject to a civil
13 penalty of not less than \$250 and not more than \$7,500 for each
14 repeat violation found by the Department or circuit court
15 within 3 years. For purposes of this subsection, each
16 violation of this Act for each day or temporary laborer and for
17 each day the violation continues shall constitute a separate
18 and distinct violation. In determining the amount of a
19 penalty, the Director or circuit court shall consider the
20 appropriateness of the penalty to the day and temporary labor
21 service agency or third party client charged, upon the
22 determination of the gravity of the violations. For any
23 violation determined by the Department or circuit court to be
24 willful which is within 3 years of an earlier violation, the
25 Department may revoke the registration of the violator, if the
26 violator is a day and temporary labor service agency. The

1 amount of the penalty, when finally determined, may be:

2 (1) Recovered in a civil action brought by the
3 Director of Labor in any circuit court. In this
4 litigation, the Director of Labor shall be represented by
5 the Attorney General.

6 (2) Ordered by the court, in an action brought by any
7 party, including the Attorney General pursuant to its
8 authority under Section 6.3 of the Attorney General Act,
9 for a violation under this Act, to be paid to the Director
10 of Labor.

11 (b) The Department shall adopt rules for violation
12 hearings and penalties for violations of this Act or the
13 Department's rules in conjunction with the penalties set forth
14 in this Act.

15 Any administrative determination by the Department as to
16 the amount of each penalty shall be final unless reviewed as
17 provided in Section 60 of this Act.

18 (c) This Section is effective on and after January 1,
19 2025.

20 (Source: P.A. 103-437, eff. 8-4-23.)

21 (820 ILCS 175/70a new)

22 Sec. 70a. Penalties.

23 (a) A day and temporary labor service agency or third
24 party client that violates any of the provisions of this Act or
25 any rule adopted under this Act shall be subject to a civil

1 penalty not to exceed \$6,000 for violations found in the first
2 audit by the Department. Following a first audit, a day and
3 temporary labor service agency or third party client shall be
4 subject to a civil penalty not to exceed \$2,500 for each repeat
5 violation found by the Department within 3 years. For purposes
6 of this subsection, each violation of this Act for each day or
7 temporary laborer and for each day the violation continues
8 shall constitute a separate and distinct violation. In
9 determining the amount of a penalty, the Director shall
10 consider the appropriateness of the penalty to the day and
11 temporary labor service agency or third party client charged,
12 upon the determination of the gravity of the violations. For
13 any violation determined by the Department to be willful which
14 is within 3 years of an earlier violation, the Department may
15 revoke the registration of the violator, if the violator is a
16 day and temporary labor service agency. The amount of the
17 penalty, when finally determined, may be:

18 (1) Recovered in a civil action brought by the
19 Director of Labor in any circuit court. In this
20 litigation, the Director of Labor shall be represented by
21 the Attorney General.

22 (2) Ordered by the court, in an action brought by any
23 party for a violation under this Act, to be paid to the
24 Director of Labor.

25 (b) The Department shall adopt rules for violation
26 hearings and penalties for violations of this Act or the

1 Department's rules in conjunction with the penalties set forth
2 in this Act.

3 (c) This Section is repealed on January 1, 2025.

4 (820 ILCS 175/85)

5 Sec. 85. Third party clients.

6 (a) It is a violation of this Act for a third party client
7 to enter into a contract for the employment of day or temporary
8 laborers with any day and temporary labor service agency not
9 registered under Section 45 of this Act. A third party client
10 has a duty to verify a day and temporary labor service agency's
11 status with the Department before entering into a contract
12 with such an agency, and on March 1 and September 1 of each
13 year. A day and temporary labor service agency shall be
14 required to provide each of its third party clients with proof
15 of valid registration issued by the Department at the time of
16 entering into a contract. A day and temporary labor service
17 agency shall be required to notify, both by telephone and in
18 writing, each day or temporary laborer it employs and each
19 third party client with whom it has a contract within 24 hours
20 of any denial, suspension, or revocation of its registration
21 by the Department. All contracts between any day and temporary
22 labor service agency and any third party client shall be
23 considered null and void from the date any such denial,
24 suspension, or revocation of registration becomes effective
25 and until such time as the day and temporary labor service

1 agency becomes registered and considered in good standing by
2 the Department as provided in Section 50 and Section 55. Upon
3 request, the Department shall provide to a third party client
4 a list of entities registered as day and temporary labor
5 service agencies. The Department shall provide on the Internet
6 a list of entities registered as day and temporary labor
7 service agencies. A third party client may rely on information
8 provided by the Department or maintained on the Department's
9 website pursuant to Section 45 of this Act and shall be held
10 harmless if such information maintained or provided by the
11 Department was inaccurate. Any third party client that
12 violates this provision of the Act is subject to a civil
13 penalty of not less than \$100 and not to exceed \$1,500. Each
14 day during which a third party client contracts with a day and
15 temporary labor service agency not registered under Section 45
16 of this Act shall constitute a separate and distinct offense.

17 (b) If a third party client leases or contracts with a day
18 and temporary service agency for the services of a day or
19 temporary laborer, the third party client shall share all
20 legal responsibility and liability for the payment of wages
21 under the Illinois Wage Payment and Collection Act and the
22 Minimum Wage Law.

23 (c) Before the assignment of an employee to a worksite
24 employer, a day and temporary labor service agency must notify
25 a day or temporary laborer of any safety and health training
26 that the day and temporary labor service agency or the third

1 party client are responsible for providing to the day or
2 temporary laborer, including any training required by the
3 Occupational Health and Safety Administration. ÷

4 ~~(1) inquire about the client company's safety and~~
5 ~~health practices and hazards at the actual workplace where~~
6 ~~the day or temporary laborer will be working to assess the~~
7 ~~safety conditions, workers tasks, and the client company's~~
8 ~~safety program; these activities are required at the start~~
9 ~~of any contract to place day or temporary laborers and may~~
10 ~~include visiting the client company's actual worksite. If,~~
11 ~~during the inquiry or anytime during the period of the~~
12 ~~contract, the day and temporary labor service agency~~
13 ~~becomes aware of existing job hazards that are not~~
14 ~~mitigated by the client company, the day and temporary~~
15 ~~labor service agency must make the client company aware,~~
16 ~~urge the client company to correct it, and document these~~
17 ~~efforts, otherwise the day and temporary labor service~~
18 ~~agency must remove the day or temporary laborers from the~~
19 ~~client company's worksite;~~

20 ~~(2) provide training to the day or temporary laborer~~
21 ~~for general awareness safety training for recognized~~
22 ~~industry hazards the day or temporary laborer may~~
23 ~~encounter at the client company's worksite. Industry~~
24 ~~hazard training must be completed, in the preferred~~
25 ~~language of the day or temporary laborer, and must be~~
26 ~~provided at no expense to the day or temporary laborer.~~

1 ~~The training date and training content must be maintained~~
2 ~~by the day and temporary staffing agency and provided to~~
3 ~~the day or temporary laborer;~~

4 ~~(3) transmit a general description of the training~~
5 ~~program including topics covered to the client company,~~
6 ~~whether electronically or on paper, at the start of the~~
7 ~~contract with the client company;~~

8 ~~(4) provide the Department's hotline number for the~~
9 ~~employee to call to report safety hazards and concerns as~~
10 ~~part of the employment materials provided to the day or~~
11 ~~temporary laborer; and~~

12 ~~(5) inform the day or temporary laborer who the day or~~
13 ~~temporary laborer should report safety concerns to at the~~
14 ~~workplace.~~

15 ~~Nothing in this Section shall diminish any existing client~~
16 ~~company or a day and temporary labor service agency's~~
17 ~~responsibility as an employer to provide a place of employment~~
18 ~~free from recognized hazards or to otherwise comply with other~~
19 ~~health and safety or employment laws. The client company and~~
20 ~~the day and temporary labor service agency are responsible for~~
21 ~~compliance with this Section and the rules adopted under this~~
22 ~~Section.~~

23 (d) Before the day or temporary laborer engages in work
24 for a client company, the client company must:

25 (1) document and inform the day and temporary labor
26 service agency about anticipated job hazards likely

1 encountered by the day or temporary laborer;

2 (2) review the safety and health awareness training
3 provided by the day and temporary labor service agency to
4 determine if it addresses recognized hazards for the
5 client company's industry;

6 (3) provide specific training tailored to the
7 particular hazards at the client company's worksite; and

8 (4) document and maintain records of site-specific
9 training and provide confirmation that the training
10 occurred to the day and temporary labor service agency
11 within 3 business days of providing the training.

12 (e) If the client company changes the job tasks or work
13 location and new hazards may be encountered, the client
14 company must:

15 (1) inform both the day and temporary labor service
16 agency and the day or temporary laborer; and

17 (2) inform both the day and temporary labor service
18 agency staffing agency and the day or temporary laborer of
19 job hazards not previously covered before the day or
20 temporary laborer undertakes the new tasks and update
21 personal protective equipment and training for the new job
22 tasks, if necessary.

23 (f) A day and temporary labor service agency or day or
24 temporary laborer may refuse a new job task at the worksite
25 when the task has not been reviewed or if the day or temporary
26 laborer has not had appropriate training to do the new task.

1 (g) A client company that supervises a day or temporary
2 laborer must provide worksite specific training to the day or
3 temporary laborer and must allow a day and temporary labor
4 service agency to visit any worksite where the day or
5 temporary laborer works or will be working to observe and
6 confirm the client company's training and information related
7 to the worksite's job tasks, safety and health practices, and
8 hazards.

9 (h) This Section is effective on and after January 1,
10 2025.

11 (Source: P.A. 103-437, eff. 8-4-23.)

12 (820 ILCS 175/85a new)

13 Sec. 85a. Third party clients.

14 (a) It is a violation of this Act for a third party client
15 to enter into a contract for the employment of day or temporary
16 laborers with any day and temporary labor service agency not
17 registered under Section 45 of this Act. A third party client
18 has a duty to verify a day and temporary labor service agency's
19 status with the Department before entering into a contract
20 with such an agency, and on March 1 and September 1 of each
21 year. A day and temporary labor service agency shall be
22 required to provide each of its third party clients with proof
23 of valid registration issued by the Department at the time of
24 entering into a contract. A day and temporary labor service
25 agency shall be required to notify, both by telephone and in

1 writing, each day or temporary laborer it employs and each
2 third party client with whom it has a contract within 24 hours
3 of any denial, suspension, or revocation of its registration
4 by the Department. All contracts between any day and temporary
5 labor service agency and any third party client shall be
6 considered null and void from the date any such denial,
7 suspension, or revocation of registration becomes effective
8 and until such time as the day and temporary labor service
9 agency becomes registered and considered in good standing by
10 the Department as provided in Section 50 and Section 55. Upon
11 request, the Department shall provide to a third party client
12 a list of entities registered as day and temporary labor
13 service agencies. The Department shall provide on the Internet
14 a list of entities registered as day and temporary labor
15 service agencies. A third party client may rely on information
16 provided by the Department or maintained on the Department's
17 website pursuant to Section 45 of this Act and shall be held
18 harmless if such information maintained or provided by the
19 Department was inaccurate. Any third party client that
20 violates this provision of the Act is subject to a civil
21 penalty not to exceed \$500. Each day during which a third party
22 client contracts with a day and temporary labor service agency
23 not registered under Section 45 of this Act shall constitute a
24 separate and distinct offense.

25 (b) If a third party client leases or contracts with a day
26 and temporary service agency for the services of a day or

1 temporary laborer, the third party client shall share all
2 legal responsibility and liability for the payment of wages
3 under the Illinois Wage Payment and Collection Act and the
4 Minimum Wage Law.

5 (c) This Section is repealed on January 1, 2025.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 820 ILCS 175/2

4 820 ILCS 175/2a new

5 820 ILCS 175/5

6 820 ILCS 175/5a new

7 820 ILCS 175/11

8 820 ILCS 175/30

9 820 ILCS 175/30a new

10 820 ILCS 175/42

11 820 ILCS 175/45

12 820 ILCS 175/45a new

13 820 ILCS 175/50

14 820 ILCS 175/50a new

15 820 ILCS 175/55

16 820 ILCS 175/55a new

17 820 ILCS 175/67

18 820 ILCS 175/70

19 820 ILCS 175/70a new

20 820 ILCS 175/85

21 820 ILCS 175/85a new