



DAY AND TEMPORARY LABOR SERVICES ACT

TEMPORARY WORKER RIGHTS

CORRECT WAGES AND PAYMENT NOTICE

You have the right to be paid correctly based on your pay rate and hours worked and in accordance with all applicable wage laws. The Day and Temporary Labor Services Agency must provide you with a detailed statement with the name and contact information for each third-party client where you worked, number of hours worked at each client company's worksite each day, your rate of pay for each hour worked, total pay period earnings, and all deductions.

SAFETY AND HAZARD TRAINING

On or before your first day working at a client company each year, the Day and Temporary Labor Services Agency must give you general safety training for the client company's worksite. The training will cover all known and existing hazards, including hazards reported to the client company or the Day and Temporary Labor Services Agency by a worker. Training will be provided at no cost to you, and you must be paid for time spent in training.

RIGHT TO REFUSE ASSIGNMENT DUE TO A LABOR DISPUTE

You have the right to refuse assignment to the client company's worksite or location where there is a strike, lockout, or other labor trouble without being retaliated against by your Day and Temporary Labor Services Agency.

TRANSPORTATION

If your Day and Temporary Labor Services Agency or client company provides transportation to a worksite or refers you to a particular person, company, or carpool that provides transportation to a worksite, you cannot be charged for that transportation.

COMPLAINTS

To file a complaint or report a violation with the Department of Labor, visit labor.illinois.gov or call toll-free at

1-877-314-7052

DAY AND TEMPORARY LABOR AGENCIES' RESPONSIBILITIES

REQUIRED NOTICE

Each Day and Temporary Labor Services Agency shall post this notice in an area easily accessible to all workers at each work location or branch office.

WAGE PAYMENT AND NOTICE TO THE WORKER

A Day and Temporary Labor Services Agency shall provide, on a paycheck stub, a detailed statement with the following:

- contact information about each client company where the laborer worked
- number of hours worked at each client company's worksite each day
- rate of pay for each hour worked
- total pay period earnings
- all deductions

The Day and Temporary Labor Services Agency shall also provide each worker an annual earnings summary within a reasonable time after the preceding calendar year. Temporary workers have the right to request that their Day and Temporary Labor Services Agency issue weekly, bi-weekly, or semi-monthly checks.

TRANSPORTATION

Day and Temporary Labor Services Agencies are responsible for the conduct of drivers providing transportation for workers unless an exception applies in the Act.

REGISTRATION

Day and Temporary Labor Services Agencies must register with the Illinois Department of Labor. Registration information is available online at labor.illinois.gov/idtlsa

PLACEMENT FEES

Conversion or Placement fees cannot be charged by an agency after a laborer has performed work for 60 days at a third-party client.





State of Illinois
Department of Labor

Employee Classification Act

(820 ILCS 185/1-999)

NOTICE TO INDIVIDUALS PERFORMING SERVICES FOR CONSTRUCTION CONTRACTORS

REQUIRED POSTING – Contractors that have one or more individuals **not** classified as employees must post this notice in a conspicuous place on each jobsite and in their offices.

EMPLOYEE CLASSIFICATION ACT (820 ILCS 185/1-999)

The Employee Classification Act establishes criteria to determine if an individual performing services for a construction contractor is an employee of the contractor or is an independent contractor. Individuals performing services for contractors are presumed to be employees of the contractor unless they meet criteria specified in Section 10 of the law. The Act seeks to ensure that workers in the construction industry are offered protections under numerous labor laws, including minimum wage, overtime, workers' compensation and unemployment insurance and are not misclassified as independent contractors in order to avoid tax and labor law obligations.

Any aggrieved individual or interested party has the right to file a complaint with the Department of Labor or file a private lawsuit seeking remedies for misclassification violations, including collection of any wages, employment benefits or other compensation denied or lost, monetary damages, attorney's fees and court costs. Contractors determined to be in violation of the Act are subject to civil and criminal penalties.

It is a violation of the Act to discharge an individual for exercising any rights, including making a complaint or testifying in an investigation under the Act, subject to additional damages, attorney's fees and costs.

For more information or to file a complaint, contact:

AVISO A PERSONAS QUE TRABAJAN PARCONTRATISTAS EN EL AREA DE LA CONSTRUCCION

FIJACION OBLIGATORIA – Contratistas que disponen de uno ó más individuos que **no** son catalogados como "empleados" deben de fijar este aviso en un lugar sobresaliente en cada sitio de trabajo y en sus oficinas.

LA LEY DE CODIFICACION PARA EL EMPLEADO (820 ILCS 185/1-999)

La Ley de Codificación Para el Empleado decreta normas para determinar si una persona que trabaja para contratistas en el área de la construcción es un "empleado" del contratista ó si es un "contratista independiente." Las personas que trabajan para contratistas son presuntamente empleados, al menos que ellos cumplan ciertos criterios establecidos en la Sección 10 de esta ley. La ley intenta asegurar que trabajadores en la industria de la construcción sean protegidos bajo varias leyes de trabajo (incluyendo la del salario mínimo, horas extras, protección laboral y seguro de desempleo) y que no sean clasificados erróneamente como "contratistas independientes" para que el contratista pueda evitar sus obligaciones en relación a impuestos y las leyes de trabajo.

Cualquier persona perjudicada, ó que tenga un interés directo, tiene el derecho de presentar un reclamo con el Departamento de Trabajo, ó puede presentar una demanda privada demandando remedios por infracciones al ser clasificados erróneamente (incluyendo recopilación de salario, beneficios por ser empleado ó cualquier otra compensación que le fue negada ó perdida, así como también pérdidas monetarias y costos de abogado y de la corte). Contratistas a quienes se les haya determinado que han violado la ley son sujetos a sanciones civiles y criminales.

Es una infracción despedir a un trabajador por ejercer sus derechos bajo esta ley (incluyendo el poner un reclamo ó por dar testimonio en una investigación bajo esta ley) y puede ser sujeto a daños adicionales, costos de abogado y de la corte.

Para más información ó para presentar un reclamo, comuníquese al:

ZAWIADOMIENIE DLA OSÓB WYKONUJĄCYCH PRACE NA ZLECENIE DLA FIRM BUDOWLANO-KONTRAKTORSKICH

WYMAGA SIĘ WYWIESIĆ W MIEJSCU PRACY – Właściciele firm budowlanych, zatrudniające osoby oficjalnie **nie** będące pracownikami firmy, muszą umieścić to ogłoszenie w widocznym miejscu na każdym placu budowy i w swoich biurach.

USTAWA DOTYCZĄCA KLASYFIKACJI PRACOWNIKÓW (820 ILCS 185/1-999)

Ustawa dotycząca klasyfikacji pracowników ustala kryteria czy osoba wykonująca prace na zlecenie dla firmy budowlano-kontraktorskiej jest pracownikiem firmy zlecającej usługi czy też jest pracownikiem niezależnym.

Osoby wykonujące usługi na zlecenie dla właścicieli firm budowlanych są uznawane za pracowników firm dla których wykonują zlecenie; wyjątek stanowi spełnienie kryteriów zawartych w Paragrafie 10 Kodeksu Pracy. Ustawa ma na celu chronić prawa osób zatrudnionych w przemyśle budowlanym zagwarantowanych przez prawo pracy, włączając prawo do minimalnej stawki, nadgodzin, odszkodowań pracowniczych i ubezpieczeń na bezrobocie i że nie zostaną błędnie sklasyfikowani jako niezależni wykonawcy w celu uniknięcia zobowiązań podatkowych i zobowiązań dotyczących prawa pracowników.

Każda osoba, której prawa zostały naruszone, oraz osoby postronne mogą złożyć skargę w Departamencie Pracy lub też dochodzić swoich praw drogą sądową o zadośćuczynienie za naruszenia błędnej klasyfikacji, w tym o pobranie wynagrodzenia, świadczeń pracowniczych lub innych odmówionych lub utraconych odszkodowań, odszkodowań pieniężnych, honorariów adwokackich i kosztów sądowych. Wykonawcy uznani za naruszających ustawę podlegają sankcjom cywilnym i karnym.

Naruszeniem ustawy jest zwolnienie pracownika który domaga się swoich praw, w tym składania skarg lub składania zeznań w dochodzeniu na podstawie ustawy, z zastrzeżeniem dodatkowych odszkodowań, honorariów adwokackich i kosztów.

Aby złożyć skargę lub uzyskać więcej informacji skontaktuj się z:

Springfield Office

524 South 2nd St., Suite 400
Springfield, Illinois 62701
(217) 782-6206
Fax: (217) 782-0596

Chicago Office

160 N. LaSalle St., 13th Floor
Chicago, Illinois 60601
(312) 793-2800
Fax: (312) 793-5257

Marion Office

2309 W. Main St., Suite 115
Marion, Illinois 62959
(618) 993-7090
Fax: (618) 993-7258



Illinois Department of
LABOR

www.Labor.Illinois.gov
DOL.Questions@Illinois.gov



This is a summary of laws that satisfies Illinois Department of Labor posting requirements.

Your Rights Under Illinois Employment Laws



The mission of the Illinois Department of Labor is to protect and promote the wages, welfare, working conditions, and safety of Illinois workers by enforcing State labor and employment laws, providing compliance assistance to employers, and increasing public awareness of workplace protections. Through enforcement, education, and community partnerships, the Department works to ensure that workers are paid what they are owed and that employers who follow the law remain competitive.

Minimum Wage & Overtime

SETS MINIMUM WAGE FOR EMPLOYEES

Effective Jan. 1 2024

\$14.00 PER HOUR

Applies to employers with 4 or more employees. Domestic workers are covered even if the employer only has 1 worker. Certain workers are not covered by the Minimum Wage Law and some workers may be paid less than the minimum wage under limited conditions.

\$8.40 PER HOUR

Applies to tipped employees. If an employee's tips combined with the wages from the employer do not equal the minimum wage, the employer must make up the difference.

\$12.00 PER HOUR

Applies to youths (under 18) working fewer than 650 hours per calendar year.

Overtime

Most hourly employees and some salaried employees are covered by the overtime law and must be compensated at time and one-half their regular pay for hours worked over 40 in a workweek.

Hotline: 1-800-478-3998

Unpaid Wages

WAGE PAYMENT AND COLLECTION ACT

- Employees must receive their final compensation, including earned wages, vacation pay, commissions and bonuses on their next regularly scheduled payday.
- Unauthorized deductions from paychecks are not allowed except as specified by law.
- Employers must reimburse employees for all necessary expenditures or losses incurred by an employee during the scope of employment and related to services performed for the employer. Employee must submit reimbursement request within 30 calendar days unless an employer policy allows for additional time to submit.

Hotline: 1-312-793-2808

Meal & Rest Periods

ONE DAY REST IN SEVEN ACT

Provides employees with 24 consecutive hours of rest within every seven (7) consecutive day period.

- Employers may obtain permits from the Department allowing employees to voluntarily work seven consecutive days.
- Employees working 7 1/2 continuous hours must be allowed a meal period of at least 20 minutes no later than 5 hours after the start of work, and an additional 20 minutes if working a 12 hour shift or longer.
- Employees must be afforded reasonable bathroom breaks.

Hotline: 1-312-793-2804

Violent Crime Victims' Leave

Provides employees who are victims of domestic, gender, or sexual violence, or other crimes of violence, or who have family members who are victims with up to 12 weeks of unpaid leave during a 12-month period.

- Effective 1/1/24: Employees with employers of any size are entitled to 2 additional weeks unpaid leave for reasons relating to a family or household member's death due to a crime of violence to be completed within 60 days after the date employee received notice of the death of the victim.

Hotline: 1-312-793-2800

Paid Leave

REQUIRES PAID LEAVE FOR ANY REASON

- **Workers:** Earn up to 40 hours of paid leave from work per year.
- **Use:** Workers can use paid leave for any reason of their choosing. Employers may not require workers to provide a reason for their paid leave request.
- **Accrual:** Workers earn 1 hour of paid leave for every 40 hours they work. Employers may also provide workers with all paid leave hours at the start of the 12-month period (frontloading).
- **Carryover:** Workers rollover all unused accrued paid leave at the end of the year. Any unused frontloaded leave does not have to be carried over.
- **Retaliation is prohibited:** Penalties may apply to employers that take adverse action against workers who exercise their rights under this law.

Existing Policy and Exclusions

Certain exceptions may apply for employers who already provide their workers with paid leave. There are also certain categories of workers that are not covered by the law.

Hotline: 312-793-2600

Equal Pay Act

Requires employers to pay equal wages to men and women doing the same or substantially similar work, unless such wage differences are based upon a seniority system, a merit system, or factors other than gender.

- Employers and employment agencies are banned from asking applicants past wage and compensation histories.
- Employees may disclose or discuss their own salaries, benefits, and other compensation with their co-workers and colleagues.
- Employers are not allowed to pay less to African American employees versus non- African American employees
- Certain employees at large businesses may request wage/salary history for their job title from IDOL.

Hotline: 1-866-372-4365

Child Labor

WORKERS UNDER AGE 16

Children under the age of 14 may not work in most jobs, except under limited conditions.

14 and 15-year-olds may work if the following requirements are met:

- Employment certificates have been issued by the school district and filed with the Department of Labor confirming that a minor is old enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education;
 - The work is not deemed a hazardous occupation (a full listing can be found on our website);
 - Work is limited to 3 hours per day on school days, 8 hours per day on non- school days and no more than 6 days or 48 hours per week;
 - Work is performed only between the hours of 7 a.m. to 7 p.m. during the school year (7 a.m. to 9 p.m. June through September); and
 - A 30-minute meal period is provided no later than the fifth hour of work.

Hotline: 1-800-645-5784



For more information or to file a complaint, contact the Department at:

524 South 2nd St, Suite 400, Springfield, IL 62701 (217) 782-6206
160 N. LaSalle, St, Suite C-1300, Chicago, IL 60601 (312) 793-2800
2309 W. Main Street, Suite 115 Marion, IL 62959 (618) 993-7090

For a complete text of the laws, visit our website: www.labor.illinois.gov

THIS NOTICE MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES OF THE EMPLOYER WHERE OTHER NOTICES ARE POSTED.



Illinois Wage Payment and Collection Act

Failure of Subcontractors to Pay Workers' Wages



Illinois law requires that employees be paid for work performed. Primary contractors, also known as general contractors, may be liable if subcontractors do not pay their workers.

WHAT CONTRACTORS SHOULD KNOW

NOTICE: For employees working for contractors and subcontractors on certain private construction projects where costs exceed \$20,000, if the subcontractor does not pay all wages or fringe benefits owed, the general contractor who hired the subcontractor may be liable to cover the back wages and fringe benefits owed to the employee, as well as interest, penalties, and reasonable attorney's fees. The general contractor is not liable to cover related liquidated damages.

EXCEPTIONS: This requirement does not apply to work where the general contractor is covered by a collective bargaining agreement; alteration or repair to a single-family home or a single unit in a multi-family structure; projects valued at \$20,000 or less; work performed pursuant to contracts that were entered into before July 1, 2022; or work performed by a contractor of the federal government, the State, a special district, a city, a county, or any political subdivision of the State.

For further information see <https://labor.illinois.gov/>

(312) 793-2808

DOL.Wages@Illinois.gov

FILE A CLAIM



<https://labor.illinois.gov/complaints.html>

WHAT WORKERS SHOULD KNOW

NOTICE: If your employer is a subcontractor hired by a primary general contractor, and your employer does not pay you your earned wages and fringe benefits, the primary contractor who hired them may be responsible for paying you your wages and benefits. The Illinois Department of Labor can help you determine whether your situation qualifies.

If your contractor doesn't pay your full wages, you may file a claim within three years of the nonpayment or underpayment of your wages.

This law applies to workers on certain private construction projects. If you are unsure of the type of project, or whether the project qualifies, please call 312-793-2808. Leave a voicemail, and an Illinois Department of Labor staff member will return your call.

FILING A CLAIM FOR UNPAID WAGES

Employees may file claims with the Illinois Department of Labor, or may file a civil action in circuit court. Before filing a civil action for unpaid wages against a general contractor, an employee must notify their employer (the subcontractor) and the general contractor in writing that the employee intends to file a civil action, and the nature and basis for the action. The subcontractor and general contractor then have 10 days to resolve the issue before the employee is free to go forward with formally filing a civil action in a circuit court. No waiting period is necessary for filing a claim with IDOL. To file a claim or learn more, call 312-793-2808. Leave a voicemail, and an Illinois Department of Labor staff member will return your call. The Illinois Department of Labor can assist in filing your claim.

THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY SEE IT.





Job Safety and Health IT'S THE LAW!

Required Posting for State and Local Government Employers

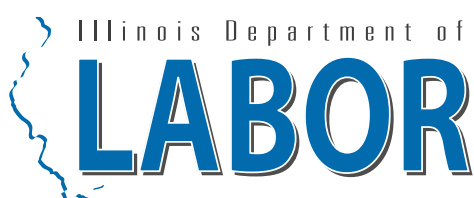
EMPLOYEES:

- You have the right to a safe workplace.
- You have the right to raise a safety or health concern with your employer or confidentially with IL-OSHA.
- You have the right to request an IL-OSHA inspection if you believe there are unsafe or unhealthy conditions.
- You have the right to participate in an IL-OSHA inspection and speak privately to the inspector.
- You have the right to see IL-OSHA citations issued to your employer.
- You must comply with all standards under the Illinois Occupational Safety and Health Act that applies to your own actions and conduct on the job.
- You can file a complaint with IL-OSHA within 30 days if you have been retaliated against for exercising your rights under the Act.
- You have the right to copies of your medical records and records of your exposures to toxic and harmful substances or conditions.

EMPLOYERS:

- Must furnish employees a workplace free from recognized hazards.
- Must comply with all applicable standards under the Illinois Occupational Safety and Health Act.
- Must prominently display this poster in the workplace as well as all notices and all official correspondence received by IL-OSHA.
- Must post any citations issued by IL-OSHA at or near the place of the alleged violation(s).
- Must correct workplace hazards by the date indicated on the citation and must certify that the hazards have been abated.
- Must maintain records of work-related injuries and illnesses. Employers must post the previous year annual summary (OSHA 300A) from February 1 until April 30.
- **NOTIFICATION REQUIREMENT:** Employers must orally report any work-related fatalities within 8 hours, and any inpatient hospitalization, amputation, or loss of an eye within 24 hours by calling 217-782-7860. This is a 24/7 hotline.

The Illinois Occupational Safety and Health Act [820 ILCS 219] provides job safety and health protection for employees of state and local government agencies. The Illinois State Plan is a developmental plan partially funded by a federal grant. Any concerns regarding the administration of the Illinois State Plan can be forwarded to the OSHA Region V Office: Federal Building, 230 South Dearborn Street, Room 3244, Chicago, IL 60604. Phone: 312-353-2220.



labor.illinois.gov

160 N. LaSalle Street, C-1300
Chicago, IL 60601
(312) 793-7308
Fax: (312) 793-2081



OSHA.illinois.gov

524 S. 2nd Street, Suite 400
Springfield, IL 62701
(217)782-9386
dol.safety@illinois.gov

Free Safety & Health Consultation Services



worksafe.illinois.gov

524 S. 2nd Street, Suite 400
Springfield, IL 62701
1-800-972-4216
dol.consultation@illinois.gov



Victims' Economic Security and Safety Act (VESSA)

REQUIRED NOTICE FOR EMPLOYERS

VESSA provides employees who are victims of domestic violence, sexual violence, gender violence, or any other crime of violence, and employees who have a family or household member who is a victim of such violence, with unpaid, job-guaranteed leave; reasonable accommodations; and protections from discrimination and retaliation.

This time may be used if the employee or the employee's family or household member is:

- Experiencing an incident of domestic violence, sexual violence, gender violence, or any other crime of violence
- Recovering from the violence;
- Seeking or receiving medical help, legal assistance (including participation in legal proceedings), counseling, safety planning, or other assistance;
- Temporarily or permanently relocating;
- Taking other actions to increase the safety of the victim from future domestic, sexual, or gender violence, or any other crime of violence, or to ensure economic security.
- Attending the funeral or alternative to a funeral if death is caused by crime of violence;
- Making arrangements necessitated by a death caused by a crime of violence; or
- Grieving a death caused by a crime of violence.

NOTICE AND CERTIFICATION Employees must provide the employer with at least 48 hours prior notice, unless providing advance notice is not practicable. If an employee is unable to provide advance notice, an employee must provide notice when an employee is able to do so, within a reasonable period of time after the absence.

Certification may be provided by a sworn statement of the employee and upon obtaining such other documentation the employee shall provide one of the following:

- Documentation from an employee, agent or volunteer of a victim services organization, an attorney, a member of the clergy, or medical or other professional assisting in addressing the violence;
- A police, court, or military record;
- A death certificate, published obituary, or written verification of death, burial, or memorial services, or
- Other corroborating evidence.

DURATION OF LEAVE Effective January 1, 2024, employees with employers of any size are entitled to 2 additional weeks (would be additional leave to what the chart below shows) unpaid leave for reasons relating to certain family or household member's death due to a crime of violence to be completed within 60 days after the date employee received notice of the death of the victim.

Leave permitted during a 12-month period under the act based on number of employees:

Number of employees	Leave permitted
1-14 employees	4 weeks
15-49 employees	8 weeks
50 or more employees	12 weeks

Leave may be taken consecutively, intermittently, or on a reduced work schedule basis.

**For information on filing a complaint please call: 312-793-6797
or visit the website: labor.illinois.gov/vessa**

ACCOMMODATIONS VESSA provides that employees are entitled to reasonable accommodations to address the needs of the victim(s). Accommodations include, but are not limited to, an adjustment to the job structure, workplace facility, work requirements, or telephone number, seating assignment, or physical security of the work area.

DISCRIMINATION AND RETALIATION VESSA prohibits employers from discriminating, retaliating, or otherwise treating an employee or job applicant unfavorably if the individual involved:

- Is or is perceived to be a victim of domestic, sexual, or gender violence, or any other crime of violence;
- Attended, participated in, prepared for, or requested leave to attend, participate in, or prepare for a criminal or civil court or administrative proceeding relating to domestic, sexual, or gender violence, or any other crime of violence;
- Requested or took VESSA leave for any reason;
- Requested an accommodation, regardless of whether the accommodation was granted;
- The workplace is disrupted or threatened by the action of a person whom the individual states has committed or threatened to commit domestic, sexual, or gender violence, or any other crime of violence, against the individual or the individual's family or household member; or
- Exercised any other rights under VESSA.

CONFIDENTIALITY Employers must maintain the confidentiality of all information pertaining to the use of VESSA leave, notice of an employee's intention to take VESSA leave, and certification provided by the employee.

labor.illinois.gov • DOL.Questions@Illinois.gov

Lincoln Tower Plaza

524 South 2nd Street, Suite 400
Springfield, Illinois 62701
(217) 782-6206
Fax: (217) 782-0596

Michael A Bilandic Building

160 North LaSalle, Suite C-1300
Chicago, Illinois 60601-3150
(312) 793-2800
Fax: (312) 793-5257

Regional Office Building

2309 West Main Street, Suite 115
Marion, Illinois 62959
(618) 993-7090
Fax: (618) 993-7258