



Office of Illinois Attorney General Lisa Madigan

WORKPLACE RIGHTS BUREAU

Attorney General Madigan's **Workplace Rights Bureau** protects and advances the employment rights of Illinois residents. Along with state and federal partners, the Workplace Rights Bureau enforces key wage and hour and employment laws to protect Illinois workers from unlawful practices.

The bureau litigates cases on behalf of the people of the state of Illinois and monitors emerging labor and employment issues. The bureau also partners with other governmental entities, community groups, unions and businesses to increase the public's understanding of their employment rights and to better identify potentially non-compliant employers.

The Workplace Rights Bureau:

- **Investigates** and **litigates** cases involving serious or persistent wage law violations or other unlawful employment practices.
- **Monitors** and **proposes** legislation concerning labor and employment issues.
- **Drafts** *amicus curiae* briefs on important employment law matters.
- **Reviews** and **responds** to constituents' employment questions and concerns.
- **Raises awareness** of workers' employment rights.

Accomplishments

The Workplace Rights Bureau receives complaints from Illinois workers and community organizations about unlawful practices and investigates such practices when it appears that an employer has engaged in a pattern and practice of unlawful behavior. Some of the bureau's noteworthy accomplishments include:

- Passing legislation to prohibit the use of payroll cards with high fees following an investigation about their use in Illinois.
- Investigating and filing suit against employers who subjected workers to unsafe work environments or housing conditions.
- Investigating and filing suit against an employer for the unlawful use of non-competition agreements.
- Investigating patterns of discrimination in wages and treatment by employers.
- Investigating state contractors who failed to properly pay employees.

To file a complaint with Madigan's Workplace Rights Bureau, call (312)-814-3000 (TTY: 1-800-964-3013). The Workplace Rights Bureau is located at 100 W. Randolph Street, 11th Floor, Chicago, Illinois 60601 or the Springfield office at 500 S. Second Street, Springfield, Illinois 62701.

Illinois Wage and Hour Laws

Payroll Cards Law (820 ILCS 115/14.5): regulates the use of payroll cards by employers and limits the types of fees that may be charged to employees and ensures that employees have access to their wages and account balances.

Prevailing Wage Act (820 ILCS 130): requires the State of Illinois and municipalities—including all contractors and subcontractors—to pay a general prevailing hourly rate to all laborers, workers and mechanics employed for public work projects.

Employee Classification Act (820 ILCS 185/1): prohibits construction contractors from improperly classifying employees as independent contractors, thereby depriving them of wage and employment protections.

Wage Payment & Collection Act (820 ILCS 115): requires that employers must offer the option of check, cash or direct deposit and may offer the option of a payroll card; employees must be paid at least semi-monthly and all wages must be paid no later than 30 days after the end of the pay period; and employers may not deduct from an employee's paycheck without a written agreement.

Minimum Wage Law (820 ILCS 105/1): requires that employers must pay \$8.25 per hour and may not require more than 40 hours per workweek unless the employee receives overtime compensation 1.5 times their normal rate and prohibits discrimination between employees on the basis of sex or mental or physical disability by paying wages at a lesser rate.

One Day Rest in Seven Act (820 ILCS 140/1): states that employers must provide at least 24 consecutive hours of rest in every calendar week; likewise, if an employee is scheduled to work 7.5 or more continuous hours, then the employer must provide a 20 minute break within 5 hours after the start of the work period.

Illinois Employment Agency and Temporary Staffing Laws

Job Referral and Job Listing Services Consumer Protection Act (815 ILCS 630): regulates job listing or job referral services that provide job seekers with lists of employer referrals or provide employers with resumes or lists of job seekers where a fee is charged to the job seeker.

Day and Temporary Labor Services Act (820 ILCS 175): regulates day and temporary labor service agencies, prohibits agencies from charging workers for transportation and requiring workers to purchase meals and requires itemized wage statements and written assignments.

Private Employment Agency Act (225 ILCS 515): requires all private employment agencies and employment counselors to acquire licensing from the Department of Labor, prohibits upfront fees and false representations and requires that the applicant be refunded if the applied job was not available.

Illinois Discrimination Laws

Illinois Human Rights Act (775 ILCS 5/2-102): makes it a civil rights violation for an employer to unlawfully discriminate against an individual on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, order of protection status, disability, military status, sexual orientation, pregnancy or unfavorable discharge from the military.

Equal Pay Act (820 ILCS 112): states that no employer can discriminate against an employee by paying them a different wage than employees of the opposite sex that are doing similar or equal work.