

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 Labor Services Act is amended by  
5 changing Section 5 and adding Section 55 as follows:

6 (820 ILCS 175/5)

7 Sec. 5. Definitions. As used in this Act:

8 "Day laborer" means a natural person who contracts for  
9 employment with a day labor service agency.

10 "Day labor" means labor or employment that is occasional  
11 or irregular at which a person is employed for not longer  
12 than the time period required to complete the assignment for  
13 which the person was hired and where wage payments are made  
14 directly or indirectly by the day labor service agency or the  
15 third party employer for work undertaken by day laborers  
16 pursuant to a contract between the day labor service agency  
17 with the third party employer. "Day labor" does not include  
18 labor or employment of a professional or clerical nature.

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

24 "Department" means the Department of Labor.

25 "Third party employer" means any person that contracts  
26 with a day labor service agency for the employment of day  
27 laborers.

28 "Traditional temporary employment agency" means a person  
29 or entity that is engaged in the business of employing  
30 workers to provide services to or for a third party employer  
31 under an agreement between the person or entity and the third

1 party employer and that:

2 (1) pays its employees by check or direct deposit  
3 no more frequently than weekly;

4 (2) does not require or encourage its employees to  
5 assemble on its premises on a stand-by basis for  
6 assignment to the work site;

7 (3) does not provide transportation to or from the  
8 work site unless the transportation is provided free of  
9 charge;

10 (4) recruits its employees by: (i) regularly  
11 placing help wanted advertisements through newspapers,  
12 radio, television, or direct mail; or (ii) regularly  
13 recruiting through local schools, religious groups,  
14 non-denominational help agencies, or government agencies;  
15 and

16 (5) accepts employment applications (with the  
17 applications including the applicant's name, address,  
18 telephone number, social security number, educational  
19 achievement, previous work history, and individual skills  
20 inventory) and schedules individual interviews only by  
21 appointment.

22 (Source: P.A. 91-579, eff. 1-1-00.)

23 (820 ILCS 175/55 new)

24 Sec. 55. Exemption. Traditional temporary employment  
25 agencies are exempt from this Act.

26 Section 99. Effective date. This Act takes effect upon  
27 becoming law.