

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 Child Labor Law is amended by changing  
5 Sections 3 and 8.1 as follows:

6 (820 ILCS 205/3) (from Ch. 48, par. 31.3)

7 Sec. 3. Except as hereinafter provided, no minor under 16  
8 years of age shall be employed, permitted, or allowed to work  
9 in any gainful occupation mentioned in Section 1 of this Act  
10 for more than 6 consecutive days in any one week, or more than  
11 48 hours in any one week, or more than 8 hours in any one day,  
12 or be so employed, permitted or allowed to work between 7 p.m.  
13 and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7  
14 a.m. from June 1 until Labor Day. Minors under 16 years of age  
15 working under the provisions of Section 8.1 shall be permitted  
16 to work until 10 p.m.

17 The hours of work of minors under the age of 16 years  
18 employed outside of school hours shall not exceed 3 a day on  
19 days when school is in session, nor shall the combined hours of  
20 work outside and in school exceed a total of 8 a day; except  
21 that a minor under the age of 16 may work both Saturday and  
22 Sunday for not more than 8 hours each day if the following  
23 conditions are met: (1) the minor does not work outside school

1 more than 6 consecutive days in any one week, and (2) the  
2 number of hours worked by the minor outside school in any week  
3 does not exceed 24.

4 A minor 14 or more years of age who is employed in a  
5 recreational or educational activity by a park district,  
6 not-for-profit youth club, or municipal parks and recreation  
7 department while school is in session may work up to 3 hours  
8 per school day twice a week no later than 9 p.m. if the number  
9 of hours worked by the minor outside school in any week does  
10 not exceed 24 or between 10 p.m. and 7 a.m. during that school  
11 district's summer vacation, or if the school district operates  
12 on a 12 month basis, the period during which school is not in  
13 session for the minor.

14 (Source: P.A. 92-592, eff. 6-27-02.)

15 (820 ILCS 205/8.1) (from Ch. 48, par. 31.8-1)

16 Sec. 8.1. (a) Notwithstanding the provisions of this Act,  
17 minors under 16 years of age may be employed as models, or as  
18 performers on live or pre-recorded radio or television, or in  
19 motion pictures, or in other entertainment-related  
20 performances, subject to reasonable conditions to be imposed  
21 by rule of the Department of Labor. ~~This Section shall not~~  
22 ~~apply to employment covered under Section 8 of this Act.~~

23 (b) Notwithstanding the provisions of this Act, an  
24 employer who employs a minor under 16 years of age in a  
25 television, motion picture, or related entertainment

1 production may allow the minor to work until 10 p.m. without  
2 seeking a waiver from the Department of Labor. An employer may  
3 apply to the Director of Labor, or his or her authorized  
4 representative, for a ~~special~~ waiver permitting a minor to  
5 work outside of the hours allowed by this Act ~~from that portion~~  
6 of Section 3 of this Act that prohibits the employment of a  
7 minor under 16 years of age between 7 p.m. and 7 a.m. from  
8 Labor Day to June 1 or between 9 p.m. and 7 a.m. from June 1  
9 until Labor Day.

10 (1) A waiver request for a minor to work between 10  
11 p.m. and 12:30 a.m. or between 5 a.m. and 7 a.m. shall be  
12 granted if the Director, or his or her authorized  
13 representative, is satisfied that all of the following  
14 conditions are met:

15 (A) the employment will not be detrimental to the  
16 health or welfare of the minor;

17 (B) the minor will be supervised adequately;

18 (C) the education of the minor will not be  
19 neglected; and

20 (D) the total number of hours to be worked that day  
21 and week is not over the limits established in this Act  
22 or any rules adopted under this Act.

23 (2) A waiver request for a minor to work between 12:30  
24 a.m. and 5 a.m. may be granted if the Director, or his or  
25 her authorized representative, is satisfied that all of  
26 the following conditions are met:

1           (A) the employment will not be detrimental to the  
2 health or welfare of the minor;

3           (B) the minor will be supervised adequately;

4           (C) the education of the minor will not be  
5 neglected;

6           (D) performance by the minor during that time is  
7 critical to the success of the production, as  
8 demonstrated by true and accurate statements by the  
9 employer that filming cannot be completed at any other  
10 time of day;

11           (E) the filming primarily requires exterior  
12 footage of sunset, nighttime, or dawn;

13           (F) the filming is scheduled on the most optimal  
14 day of the week for the minor's schooling;

15           (G) the employer provides a schedule to the  
16 Department of schooling and rest periods on the day  
17 before, the day of, and the day after the overnight  
18 hours to be worked;

19           (H) the age of the minor is taken into account as  
20 provided by this Act or any rules adopted under this  
21 Act;

22           (I) the total number of hours to be worked that day  
23 and week is not over the limits established in this Act  
24 or any rules adopted under this Act; and

25           (J) the waiver request was received by the  
26 Department at least 72 hours prior to the overnight

1           hours to be worked.

2           (c) An employer applying for the waiver shall submit to  
3 the Director of Labor, or his or her authorized  
4 representative, a completed application on the form that the  
5 Director of Labor provides. ~~The Director of Labor, or his or~~  
6 ~~her authorized representative, shall issue the waiver if,~~  
7 ~~after investigation, he or she is satisfied that (i) the~~  
8 ~~employment will not be detrimental to the health or welfare of~~  
9 ~~the minor, (ii) the minor will be supervised adequately, and~~  
10 ~~(iii) the education of the minor will not be neglected.~~ The  
11 waiver shall contain signatures that show the consent of a  
12 parent or legal guardian of the minor, the employer, and an  
13 authorized representative of a collective bargaining unit if a  
14 collective bargaining unit represents the minor upon  
15 employment. The Department of Labor shall promulgate and  
16 publish all necessary rules for the enforcement of this  
17 Section, in accordance with the Illinois Administrative  
18 Procedure Act, within 60 days after the effective date of this  
19 amendatory Act of 1994.

20           (Source: P.A. 88-594, eff. 8-26-94.)