



Sen. Ram Villivalam

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10200SB3161sam001

LRB102 23338 SPS 35603 a

1 AMENDMENT TO SENATE BILL 3161

2 AMENDMENT NO. _____. Amend Senate Bill 3161 by replacing
3 everything after the enacting clause with the following:

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.

1 The hours of work of minors under the age of 16 years
2 employed outside of school hours shall not exceed 3 a day on
3 days when school is in session, nor shall the combined hours of
4 work outside and in school exceed a total of 8 a day; except
5 that a minor under the age of 16 may work both Saturday and
6 Sunday for not more than 8 hours each day if the following
7 conditions are met: (1) the minor does not work outside school
8 more than 6 consecutive days in any one week, and (2) the
9 number of hours worked by the minor outside school in any week
10 does not exceed 24.

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

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

22 (820 ILCS 205/8.1) (from Ch. 48, par. 31.8-1)

23 Sec. 8.1. (a) Notwithstanding the provisions of this Act,
24 minors under 16 years of age may be employed as models, or as
25 performers on live or pre-recorded radio or television, or in

1 motion pictures, or in other entertainment-related
2 performances, subject to reasonable conditions to be imposed
3 by rule of the Department of Labor. ~~This Section shall not~~
4 ~~apply to employment covered under Section 8 of this Act.~~

5 (b) Notwithstanding the provisions of this Act, an
6 employer who employs a minor under 16 years of age in a
7 television, motion picture, or related entertainment
8 production may allow the minor to work until 10 p.m. without
9 seeking a waiver from the Department of Labor. An employer may
10 apply to the Director of Labor, or his or her authorized
11 representative, for a ~~special~~ waiver permitting a minor to
12 work outside of the hours allowed by this Act ~~from that portion~~
13 of Section 3 of this Act that prohibits the employment of a
14 minor under 16 years of age between 7 p.m. and 7 a.m. from
15 Labor Day to June 1 or between 9 p.m. and 7 a.m. from June 1
16 until Labor Day.

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

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

24 (B) the minor will be supervised adequately;

25 (C) the education of the minor will not be
26 neglected; and

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

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

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

10 (B) the minor will be supervised adequately;

11 (C) the education of the minor will not be
12 neglected;

13 (D) performance by the minor during that time is
14 critical to the success of the production, as
15 demonstrated by true and accurate statements by the
16 employer that filming cannot be completed at any other
17 time of day;

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

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

22 (G) the employer provides a schedule to the
23 Department of schooling and rest periods on the day
24 before, the day of, and the day after the overnight
25 hours to be worked;

26 (H) the age of the minor is taken into account as

1 provided by this Act or any rules adopted under this
2 Act;

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

6 (J) the waiver request was received by the
7 Department at least 72 hours prior to the overnight
8 hours to be worked.

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

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