

1 AN ACT in relation to labor.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Day and Temporary Labor Services Act is
5 amended by changing Section 55 and adding Section 85 as
6 follows:

7 (820 ILCS 175/55)

8 Sec. 55. Enforcement. It shall be the duty of the
9 Department to enforce the provisions of this Act. The
10 Department shall have the power to conduct investigations in
11 connection with the administration and enforcement of this
12 Act and any investigator with the Department shall be
13 authorized to visit and inspect, at all reasonable times, any
14 places covered by this Act and shall be authorized to
15 inspect, at all reasonable times, contracts for the
16 employment of all day or temporary laborers entered into by a
17 third party employer if the Department has received a
18 complaint indicating that the third party employer may have
19 contracted with a day and temporary labor service agency that
20 is not registered under this Act. The Department shall
21 conduct hearings in accordance with the Illinois
22 Administrative Procedure Act upon written complaint by an
23 investigator of the Department or any interested person of a
24 violation of the Act. After the hearing, if supported by the
25 evidence, the Department may (i) issue and cause to be served
26 on any party an order to cease and desist from further
27 violation of the Act, (ii) take affirmative or other action
28 as deemed reasonable to eliminate the effect of the
29 violation, (iii) deny, suspend, or revoke any registration
30 under this Act, and (iv) determine the amount of any civil
31 penalty allowed by the Act. The Director of Labor or his or

1 her representative may compel, by subpoena, the attendance
2 and testimony of witnesses and the production of books,
3 payrolls, records, papers, and other evidence in any
4 investigation or hearing and may administer oaths to
5 witnesses; however, proprietary lists of a day and temporary
6 labor service agency are not subject to subpoena. Nothing in
7 this Act applies to labor or employment of a clerical or
8 professional nature.

9 (Source: P.A. 92-783, eff. 1-1-03.)

10 (820 ILCS 175/85 new)

11 Sec. 85. Third party employers. Third party employers are
12 prohibited from entering into contracts for the employment of
13 day or temporary laborers with any day and temporary labor
14 service agency not registered under Section 45 of this Act.
15 Upon request, the Department shall provide to a third party
16 employer a list of entities registered as day and temporary
17 labor service agencies. The Department shall provide on the
18 Internet a list of entities registered as day and temporary
19 labor service agencies.