



Rep. Marlow H. Colvin

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LRB094 04932 LCT 60709 a

1 AMENDMENT TO SENATE BILL 1268

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1268 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Minimum Wage Law is amended by changing  
5 Section 4 as follows:

6 (820 ILCS 105/4) (from Ch. 48, par. 1004)

7 Sec. 4. (a) Every employer shall pay to each of his  
8 employees in every occupation wages of not less than \$2.30 per  
9 hour or in the case of employees under 18 years of age wages of  
10 not less than \$1.95 per hour, except as provided in Sections 5  
11 and 6 of this Act, and on and after January 1, 1984, every  
12 employer shall pay to each of his employees in every occupation  
13 wages of not less than \$2.65 per hour or in the case of  
14 employees under 18 years of age wages of not less than \$2.25  
15 per hour, and on and after October 1, 1984 every employer shall  
16 pay to each of his employees in every occupation wages of not  
17 less than \$3.00 per hour or in the case of employees under 18  
18 years of age wages of not less than \$2.55 per hour, and on or  
19 after July 1, 1985 every employer shall pay to each of his  
20 employees in every occupation wages of not less than \$3.35 per  
21 hour or in the case of employees under 18 years of age wages of  
22 not less than \$2.85 per hour, and from January 1, 2004 through  
23 December 31, 2004 every employer shall pay to each of his or  
24 her employees who is 18 years of age or older in every

1 occupation wages of not less than \$5.50 per hour, and from ~~on~~  
2 ~~and after~~ January 1, 2005 through June 30, 2007 every employer  
3 shall pay to each of his or her employees who is 18 years of age  
4 or older in every occupation wages of not less than \$6.50 per  
5 hour, and from July 1, 2007 through June 30, 2008 every  
6 employer shall pay to each of his or her employees who is 18  
7 years of age or older in every occupation wages of not less  
8 than \$7.50 per hour, and from July 1, 2008 through June 30,  
9 2009 every employer shall pay to each of his or her employees  
10 who is 18 years of age or older in every occupation wages of  
11 not less than \$7.75 per hour, and from July 1, 2009 through  
12 June 30, 2010 every employer shall pay to each of his or her  
13 employees who is 18 years of age or older in every occupation  
14 wages of not less than \$8.00 per hour, and on and after July 1,  
15 2010 every employer shall pay to each of his or her employees  
16 who is 18 years of age or older in every occupation wages of  
17 not less than \$8.25 per hour.

18 In lieu of the rate prescribed in the preceding paragraph  
19 of this subsection (a), an employer may pay an employee of any  
20 age, during the first 90 consecutive calendar days after the  
21 employee is initially employed by the employer, a wage that is  
22 not more than 50¢ less than the wage prescribed in the  
23 preceding paragraph of this subsection (a); thereafter, at ~~At~~  
24 no time shall the wages paid to any employee under 18 years of  
25 age be more than 50¢ less than the wage required to be paid to  
26 employees who are at least 18 years of age.

27 (b) No employer shall discriminate between employees on the  
28 basis of sex or mental or physical handicap, except as  
29 otherwise provided in this Act by paying wages to employees at  
30 a rate less than the rate at which he pays wages to employees  
31 for the same or substantially similar work on jobs the  
32 performance of which requires equal skill, effort, and  
33 responsibility, and which are performed under similar working  
34 conditions, except where such payment is made pursuant to (1) a

1 seniority system; (2) a merit system; (3) a system which  
2 measures earnings by quantity or quality of production; or (4)  
3 a differential based on any other factor other than sex or  
4 mental or physical handicap, except as otherwise provided in  
5 this Act.

6 (c) Every employer of an employee engaged in an occupation  
7 in which gratuities have customarily and usually constituted  
8 and have been recognized as part of the remuneration for hire  
9 purposes is entitled to an allowance for gratuities as part of  
10 the hourly wage rate provided in Section 4, subsection (a) in  
11 an amount not to exceed 40% of the applicable minimum wage  
12 rate. The Director shall require each employer desiring an  
13 allowance for gratuities to provide substantial evidence that  
14 the amount claimed, which may not exceed 40% of the applicable  
15 minimum wage rate, was received by the employee in the period  
16 for which the claim of exemption is made, and no part thereof  
17 was returned to the employer.

18 (d) No camp counselor who resides on the premises of a  
19 seasonal camp of an organized not-for-profit corporation shall  
20 be subject to the adult minimum wage if the camp counselor (1)  
21 works 40 or more hours per week, and (2) receives a total  
22 weekly salary of not less than the adult minimum wage for a  
23 40-hour week. If the counselor works less than 40 hours per  
24 week, the counselor shall be paid the minimum hourly wage for  
25 each hour worked. Every employer of a camp counselor under this  
26 subsection is entitled to an allowance for meals and lodging as  
27 part of the hourly wage rate provided in Section 4, subsection  
28 (a), in an amount not to exceed 25% of the minimum wage rate.

29 (e) A camp counselor employed at a day camp of an organized  
30 not-for-profit corporation is not subject to the adult minimum  
31 wage if the camp counselor is paid a stipend on a onetime or  
32 periodic basis and, if the camp counselor is a minor, the  
33 minor's parent, guardian or other custodian has consented in  
34 writing to the terms of payment before the commencement of such

1 employment.

2 (Source: P.A. 93-581, eff. 1-1-04.)

3 Section 99. Effective date. This Act takes effect July 1,  
4 2007.".