

● CHILD LABOR LAW

STATUTORY CITATION: 820 Ill. Comp. Stat. §§ 205/1 – 205/22

RELATED REGULATIONS: Ill. Admin. Code Title 56, Part 250

GENERAL SUMMARY: The Child Labor Law establishes minimum age restrictions, limitations on hours of work, meal period requirements, and certain occupational restrictions for the lawful employment of most minors in Illinois under the age of 16. The law also prescribes the use of employment and age certificates as a means of facilitating compliance.

PROVISIONS APPLICABLE TO AGRICULTURE

MINIMUM AGE —

Children Under Age 12 — With few exceptions, minors under the age of 12 years may not be legally employed in any agricultural occupation.

Children Age 12-15 — Minors 12 through 15 years of age (inclusive) may generally be employed in agriculture only outside school hours or during school vacation periods.

Children Age 16 and Over — There are no state restrictions on agricultural employment for workers 16 years of age and older.

HOURS OF WORK — Individuals 12 to 15 years of age, whose farm employment is limited to times when school is not in session as outlined above, are prohibited during such times from working for more than 6 consecutive days in any one week, more than 48 hours in any one week, or more than 8 hours in any one day. Such workers may not be employed between the hours of 7:00 p.m. and 7:00 a.m. from Labor Day until June 1, or between 9:00 p.m. and 7:00 a.m. from June 1 to Labor Day. On days when school is in session, work outside school hours is generally limited to no more than 3 hours, and the combined time in school and on the job may not exceed 8 hours.

MEAL PERIODS — No minor under 16 who is allowed to work in agriculture when school is not in session may be employed or permitted to work continuously for more than 5 hours without a meal period of at least 30 minutes, and no break of less than 30 minutes is regarded as interrupting a continuous period of work.

EMPLOYMENT CERTIFICATES — The provision generally barring the employment of a minor unless the employer obtains an employment certificate from the superintendent of schools, **does not apply** to agricultural employment.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Fair Labor Standards Division, Illinois Department of Labor, Chicago, Illinois 60601 (312-793-2804)*. The Department has authority to conduct investigations to enforce the Child Labor Law and is empowered to visit and inspect any workplace covered by the law at any reasonable time. The Department may file complaints against employers found to have violated any of these provisions and may assess civil money penalties of up to \$5,000 per violation, enforceable in state circuit court. Employers in violation are also subject to criminal prosecution. Questions and complaints may be directed to the Department's child labor toll-free hotline, 800-645-5784.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — Truant officers and other authorized school officials may enter any place where children are or are believed to be employed and may file a complaint against any employer unlawfully employing minors.