

● PRIVATE EMPLOYMENT AGENCY ACT

STATUTORY CITATION: 225 Ill. Comp. Stat. §§ 515/0.01 – 515/15

GENERAL SUMMARY: Among other provisions, the Private Employment Agency Act contains preconditions on the recruitment of migrant farmworkers by private employment agencies in Illinois. In addition to forbidding any employment agency from operating without a state-issued license, the law requires disclosure of certain information regarding terms of employment and worker protections prior to commencement of farmworker recruitment activities.

PROVISIONS APPLICABLE TO AGRICULTURE

STATEMENT OF EMPLOYMENT CONDITIONS — No private employment agency may recruit any migrant farmworker for any farm employer unless the agency first files a statement with the state labor department on a prescribed form disclosing the terms and conditions of the job and the existence of any strike or similar concerted labor activity at the job site. A copy of the statement, in English and the language in which the worker is fluent, must be given to each worker by the private employment agency prior to recruitment.

SUMMARY OF EMPLOYMENT LAWS — Along with the statement of employment conditions, a private employment agency recruiting migrant farmworkers must also provide each recruited worker with a written summary of state employment laws relevant to the pending employment. The law summary, in English and the language in which the worker is fluent, must at a minimum include an explanation of the provisions governing payment of wages, wage assignments, wage deduction orders, and migrant labor camps.

SPECIAL NOTES OR ADVISORIES

RETALIATION — It is unlawful for a private employment agency to retaliate or discriminate in any other way against a worker for having filed a complaint, given information, testified or exercised any other right granted by this law.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Fair Labor Standards Division, Illinois Department of Labor, Chicago, Illinois 60601 (312-793-2810)*. In addition to its employment agency licensing function under this law, the Department is responsible for monitoring the activities of such agencies and for investigating reported or suspected violations. Complaints against a licensee may be made to the Department orally or in writing. Penalties against agencies found in violation include license suspension or revocation, as well as criminal fines.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.