

ILLINOIS AMENDMENTS TO THE ILLINOIS DAY AND TEMPORARY LABOR SERVICES ACT

On June 16th, 2023, HB2862 was sent to the desk of Governor Pritzker which alters the Illinois Day and Temporary Labor Services Act. The act originally passed in 2000 was put in place to help provide protection for temporary workers and ultimately the clients that utilize temporary and/or day labor services. The new bill, which will go into effect upon the signature of the Governor or no later than August 15, 2023, if unsigned, makes significant changes to the original act. Here is what we know to date, and the Illinois Department of Labor will be issuing clarifying rules that will help to better address the upcoming changes.

Equal Pay for Equal Work

- Requires that laborers assigned to a client for more than 90 calendar days receive “equal pay for equal work,” including benefits, as compared to direct employees of the client, and that clients share information with the staffing agency sufficient to ensure that requirement is met.

Labor Issue Notice

- Requires notice to laborers when the assignment is to a site experiencing a strike, lockout, or “other labor trouble.”

Safety Programs

- Requires staffing agencies to make inquiries about safety at the client worksite, advise the client of any existing job hazards, provide training to its laborers placed on assignment, and provide information about the training to its client.

Job Safety Notice

- Requires clients to disclose information about anticipated job hazards, review the staffing agency's training, provide training tailored to the site, and permit the agency to visit the site to observe safety practices.

Other Changes Impacting the Industry

- Increases fees charged to staffing agencies and penalties for staffing agencies and clients who commit notice violations.
- Provides third-party organizations with the ability to file civil actions to enforce compliance with the Act.