

AN ACT concerning employment.

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

Section 5. The Child Labor Law is amended by changing Sections 3 and 8.1 as follows:

(820 ILCS 205/3) (from Ch. 48, par. 31.3)

Sec. 3. Except as hereinafter provided, no minor under 16 years of age shall be employed, permitted, or allowed to work in any gainful occupation mentioned in Section 1 of this Act for more than 6 consecutive days in any one week, or more than 48 hours in any one week, or more than 8 hours in any one day, or be so employed, permitted or allowed to work between 7 p.m. and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day. Minors under 16 years of age working under the provisions of Section 8.1 shall be permitted to work until 10 p.m.

The hours of work of minors under the age of 16 years employed outside of school hours shall not exceed 3 a day on days when school is in session, nor shall the combined hours of work outside and in school exceed a total of 8 a day; except that a minor under the age of 16 may work both Saturday and Sunday for not more than 8 hours each day if the following conditions are met: (1) the minor does not work outside school

more than 6 consecutive days in any one week, and (2) the number of hours worked by the minor outside school in any week does not exceed 24.

A minor 14 or more years of age who is employed in a recreational or educational activity by a park district, not-for-profit youth club, or municipal parks and recreation department while school is in session may work up to 3 hours per school day twice a week no later than 9 p.m. if the number of hours worked by the minor outside school in any week does not exceed 24 or between 10 p.m. and 7 a.m. during that school district's summer vacation, or if the school district operates on a 12 month basis, the period during which school is not in session for the minor.

(Source: P.A. 92-592, eff. 6-27-02.)

(820 ILCS 205/8.1) (from Ch. 48, par. 31.8-1)

Sec. 8.1. (a) Notwithstanding the provisions of this Act, minors under 16 years of age may be employed as models, or as performers on live or pre-recorded radio or television, or in motion pictures, or in other entertainment-related performances, subject to reasonable conditions to be imposed by rule of the Department of Labor. ~~This Section shall not apply to employment covered under Section 8 of this Act.~~

(b) Notwithstanding the provisions of this Act, an employer who employs a minor under 16 years of age in a television, motion picture, or related entertainment

production may allow the minor to work until 10 p.m. without seeking a waiver from the Department of Labor. An employer may apply to the Director of Labor, or his or her authorized representative, for a ~~special~~ waiver permitting a minor to work outside of the hours allowed by this Act ~~from that portion of Section 3 of this Act that prohibits the employment of a minor under 16 years of age between 7 p.m. and 7 a.m. from Labor Day to June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day.~~

(1) A waiver request for a minor to work between 10 p.m. and 12:30 a.m. or between 5 a.m. and 7 a.m. shall be granted if the Director, or his or her authorized representative, is satisfied that all of the following conditions are met:

(A) the employment will not be detrimental to the health or welfare of the minor;

(B) the minor will be supervised adequately;

(C) the education of the minor will not be neglected; and

(D) the total number of hours to be worked that day and week is not over the limits established in this Act or any rules adopted under this Act.

(2) A waiver request for a minor to work between 12:30 a.m. and 5 a.m. may be granted if the Director, or his or her authorized representative, is satisfied that all of the following conditions are met:

(A) the employment will not be detrimental to the health or welfare of the minor;

(B) the minor will be supervised adequately;

(C) the education of the minor will not be neglected;

(D) performance by the minor during that time is critical to the success of the production, as demonstrated by true and accurate statements by the employer that filming cannot be completed at any other time of day;

(E) the filming primarily requires exterior footage of sunset, nighttime, or dawn;

(F) the filming is scheduled on the most optimal day of the week for the minor's schooling;

(G) the employer provides a schedule to the Department of schooling and rest periods on the day before, the day of, and the day after the overnight hours to be worked;

(H) the age of the minor is taken into account as provided by this Act or any rules adopted under this Act;

(I) the total number of hours to be worked that day and week is not over the limits established in this Act or any rules adopted under this Act; and

(J) the waiver request was received by the Department at least 72 hours prior to the overnight

hours to be worked.

(c) An employer applying for the waiver shall submit to the Director of Labor, or his or her authorized representative, a completed application on the form that the Director of Labor provides. ~~The Director of Labor, or his or her authorized representative, shall issue the waiver if, after investigation, he or she is satisfied that (i) the employment will not be detrimental to the health or welfare of the minor, (ii) the minor will be supervised adequately, and (iii) the education of the minor will not be neglected.~~ The waiver shall contain signatures that show the consent of a parent or legal guardian of the minor, the employer, and an authorized representative of a collective bargaining unit if a collective bargaining unit represents the minor upon employment. The Department of Labor shall promulgate and publish all necessary rules for the enforcement of this Section, in accordance with the Illinois Administrative Procedure Act, within 60 days after the effective date of this amendatory Act of 1994.

(Source: P.A. 88-594, eff. 8-26-94.)