



Human Resources Legal Fact Sheet: Illinois

Updated June 2020

Disclaimer: This factsheet summarizes state laws and regulations on a variety of human resource issues for dairy farms, including wages, paystubs, deductions, child labor, and more. It is not intended to provide legal advice. The factsheet is simply an overview of select issues with a high-level explanation of key requirements for each one, with links to more information and resources throughout the document. This factsheet does not include all legal requirements for dairies. It was created in February 2020, and while it will be periodically updated, it may not reflect the current state of the law on every topic covered. Dairies should also review the federal factsheet because employers—depending on size—may be required to comply with some or all of the applicable federal laws and regulations as well. Additionally, employers should review the provisions of their collective bargaining agreement(s). By using this factsheet you understand that there is no attorney-client relationship between you and the attorneys who were involved in developing the factsheet. This factsheet should not be used as a substitute for competent legal advice from a licensed attorney.

Are there Illinois state laws for dairy farms about the following?

Hiring

Topic	Answer	Summary
Pay Notice ¹	YES	<p>Employers must provide written notification to employees of the rate of pay and the time/place of payment at the time of hiring. While the employee commencing work is sufficient to show mutual assent to the rate of pay, obtaining the employee’s signature is recommended. ‘Rate of pay’ includes all wages – so if lodging is provided as wages in-kind, this must be included in the notice.</p> <p>Employers must notify employees of any changes in the rate of pay or time/place of payment before those changes take place. In other words, they must be told of the changes before they start any work at the lower or higher rate of pay. The employee will not be deemed to have agreed or assented to an adverse change by continuing to work if they were not notified of the change in writing.</p>
Reporting	YES	New hires and rehires must be reported to the Illinois Director of New Hires within 20 days.

Wages

Topic	Answer	Summary
Paydays ²	YES	<p>Every employer is required to pay all wages earned at least semi-monthly. The wages are to be paid no later than 13 days after the end of the pay period in which the wages were earned. If the employee is paid weekly, the wages are to be paid no later than 7 days after the end of the pay period.</p> <p>Wages of executive, administrative and professional employees as defined in the federal Fair Labor Standards Act, may be paid once per month.</p> <p>Every employer must post and keep posted at each regular place of business in a position easily accessible to employees a notice indicating the regular payday and place and time of payment.</p>
Final Pay ³	YES	Employees that are fired, quit, or otherwise separated must be paid by the next regularly scheduled payday . Illinois law recommends paying such employees, if possible, at the time of separation.



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		<p>There is no requirement in Illinois that an employer offer vacation. If, however, an employer offers vacation to its employees (whether pursuant to a contract, agreement or policy), then the employer MUST pay out all accrued but unused vacation when the employee leaves. Illinois law treats accrued vacation as “earned” vacation, meaning it is the equivalent of earned wages that must be paid out. Illinois allows employers to have a system whereby employees earn a certain amount of “paid time off” that they can use for any purpose, including vacation and sick leave. Because employees have an absolute right to take this time off (unlike traditional sick leave in which using sick leave is contingent upon illness), Illinois considers such “paid time off” as earned vacation days that must be paid out upon termination.</p> <p>An employment contract or an employer's policy may require an employee to take vacation by a certain date or lose the vacation, provided that the employee is given a reasonable opportunity to take the vacation. The employer, however, must demonstrate that the employee had notice of the contract or policy provision. An employer cannot effectuate a forfeiture of earned vacation by a written employment policy or practice of the employer.</p>
Overtime ⁴	NO	<p>Illinois overtime law does not apply to agricultural labor; federal rules may apply. Employers are encouraged to review the federal fact sheet.</p>
Minimum Wage ⁵	YES	<p><u>\$9.25 per hour</u></p> <p><u>Increases to \$10.00 per hour on July 1, 2020 and by an additional \$1.00 each January 1 thereafter until it reaches \$15.00 on January 1, 2025.</u></p> <p>Applies to agricultural employers that used more than 500 man-days of labor during any calendar quarter of the preceding calendar year. State minimum wage does not apply to agricultural employees that are the parent, spouse, child, or other member of the employer’s immediate family.</p>
Hours Worked ⁶	YES	<p>Illinois defines hours worked as including: all time an employee is required to be on duty, or on the employer’s premises, or at any other designated worksite. It also includes any additional time he/she is required or permitted to work (time spent working voluntarily when the employer knows or has reason to believe that employees are continuing to work). Meal periods and time spent on-call must also be compensated when such time is spent predominantly for the benefit of the employer rather than the employee.</p> <p>For travel time, Illinois rules recommend following federal rules. Generally, travel time for the employer’s benefit must be paid (for example, in response to an emergency call to come back to work outside of normal hours). See the federal fact sheet for more details.</p>
Reporting Time Pay	NO	<p>Illinois law does not require reporting time pay, i.e. an employee is only required to be paid for actual hours worked.</p>
Pay Stub ⁷	YES	<p>Must provide each employee with a written receipt that shows: hours worked, rate of pay, overtime pay and hours, gross wages, an itemization of all deductions, and wages/deductions year to date.</p>



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<p>Taxes and Withholding⁸</p>	<p>YES</p> <p>Employers are required to withhold Illinois income tax. You must give your employees a statement of taxes withheld, like a federal Form W-2, 1099-MISC or 1099-R.</p> <p>Employers must pay Illinois Unemployment Insurance taxes if:</p> <ul style="list-style-type: none"> You paid cash wages to farm workers of \$20,000 or more in a quarter in the current or prior calendar year; OR, You employed ten or more farm workers for some part of a day in 20 or more weeks of the current or prior calendar year. <p>Certain family employment is excluded from coverage requirements (a parent employed by their son/daughter, a person employed by their spouse, or a child under 18 employed by a parent). Unemployment taxes are paid by the employer; they are not taken out of employee pay. You can credit the amount you pay to Illinois in calculating how much you owe for federal unemployment taxes. More information.</p>
<p>Deductions⁹</p>	<p>YES</p> <p>Employers can only make deductions if:</p> <ul style="list-style-type: none"> Required by law (for ex. tax withholdings); For the benefit of the employee (for ex. health insurance premiums); In response to a valid wage garnishment, assignment, or deduction order; or, With the express written consent of the employee, given freely at the time the deduction is made. <p>Cannot make the following deductions without freely given written consent (i.e. cannot be coerced or threatened) at the time of deduction:</p> <ul style="list-style-type: none"> Inventory shortages Repayment for cash advances. Note: cash advance repayment agreements cannot have a repayment schedule of more than 15% of the employee's gross wages or final compensation per paycheck Advanced vacation pay Tuition reimbursement Training and educational expenses Damaged property Purchasing/cleaning uniforms Equipment Deposit on a piece of property <p>Cannot make deductions for the following:</p> <ul style="list-style-type: none"> The cost of medical examinations or the cost of furnishing any records of medical exams when they are required as a condition of employment <p>Employers cannot deduct more than 15% from gross wages or final compensation, unless that arrangement was agreed to at the time the deduction authorization was signed. An employer cannot withhold pay while waiting for an employee to return</p>



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		<p>property, unless that was agreed to in writing. There are specific rules about how to deduct for overpayment.</p> <p>Employers should also check federal FLSA requirements for federal laws about deductions. Illinois regulations specify that nothing in its rules is intended to conflict with federal rules.</p> <p><i>Meals and Lodging</i></p> <p>Under Illinois minimum wage rules, the reasonable cost of meals and lodging can be considered part of wages (wages in-kind). Certain conditions apply to count meals and lodging as wages in-kind. Only the reasonable cost to the employer of providing the meals/lodging can be charged. This cannot include a profit to the employer or any affiliated person. The employee must voluntarily agree to receive part of wages as meal and lodging, and must actually take/use the benefits.</p>
Bonuses ¹⁰	YES	<p>Illinois wage payment law protects nondiscretionary bonuses (in other words, earned bonuses) the same as all wages earned. Earned bonuses are due to the employee upon separation, unless a condition of the bonus is that they must be on the payroll at the time of payout. The IL Department of Labor does not have jurisdiction over discretionary bonuses.</p> <p>A nondiscretionary bonus, or earned bonus, is one where the amount and criteria for getting the bonus are announced in advance. For example, performance goals (like meeting somatic cell count goals or a bonus for length of service) that workers know about in advance. Discretionary bonuses are ones that are not announced in advance, not expected by the employee, and not an incentive for the employee. For example, when the farm reaches a certain financial goal and decides to give all employees a bonus.</p> <p>Employers should follow any written policy they have about paying bonuses as a best practice.</p>

Recordkeeping

Topic	Answer	Summary
Payroll ¹¹	YES	<p>Employers with employees subject to the Illinois minimum wage law must keep payroll records for three years:</p> <ol style="list-style-type: none"> Name of each employee; Address of each employee; Birthdate of each employee eighteen years of age or under; Social Security Number; Sex and occupation in which employed; Hours worked each day and hours worked each workweek; Time of day and day of week when employee's workweek begins; Basis on which wages are paid; Additions and deductions from employee's wages for each pay period and an explanation of additions and deductions;



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		<p>j. Type of payment (hourly rate, salary, commission, etc.), straight time and overtime pay and total wages paid each pay period; and</p> <p>k. Dates of payment of each pay period covered by the payment.</p> <p>For all employees, whether or not subject to minimum wage law, employers must keep at least the following for three years:</p> <ul style="list-style-type: none"> • Name and address • Hours worked each day in each work week • Rate of pay • Copies of all notices provided to the employee (i.e. notice of payday) • Amount paid each pay period • All deductions made from wages or final compensation. • If paid vacation is provided, must also maintain a record of the number of vacation days earned for each year and the dates on which the vacation days were taken and paid. <p>The records must be open for inspection or copying by the IL Department of Labor at any reasonable time. Additionally, the Department of Labor may inspect or subpoena other books, records, or business documents to ensure compliance with the minimum wage law. If the records are kept out of state, the employer may be responsible for paying travel costs for the Department of Labor to travel to where they are located.</p>
<p>Personnel File Access¹²</p>	<p>YES</p>	<p>Upon employee's request, employers with 5 or more employees must allow the employee to inspect any personnel documents. Personnel documents are those used to determine the employee's qualification for employment, promotion, additional compensation, employment termination or other disciplinary action. Employers must grant at least 2 inspections per calendar year when requests are made at reasonable intervals. The employer can create a written form that employees must use to request access.</p> <p>The employer must allow the inspection within 7 working days after the request. The inspection must take place at a location reasonably close to the employee's workplace and during normal working hours, though employee and employer can mutually agree to other arrangements. Employers can charge the actual cost of copying if an employee requests a copy.</p> <p>There are a number of items that need not be provided to the employee. These are listed in 820 Ill. Comp. Stat. §40/10.</p>
<p>Unemployment Insurance¹³</p>	<p>YES</p>	<p>Employers subject to contributions must submit quarterly wage reports.</p> <p>Whether or not subject to paying Unemployment Insurance taxes, every employer in Illinois must maintain accurate payroll records showing the following for each employee:</p> <ol style="list-style-type: none"> 1. Each worker's name (including temporary and part-time workers). 2. Each worker's social security account number.



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		<ol style="list-style-type: none"> 3. The city or county in which each worker is employed. 4. The dates upon which each worker performed services. 5. The date on which each worker was hired, the date on which each worker was laid off, discharged or quit, and the date of rehiring after temporary layoffs. 6. The monthly, weekly, daily or hourly rate of pay, or the piecework rate if the worker is paid on a piecework basis. 7. The number of hours worked by each worker paid at an hourly or piecework rate. 8. The customary or scheduled full-time hours for each worker paid on an hourly or piecework basis in the employment in which he is engaged. 9. The dates covered by the employer's pay period, the wages paid each worker for each pay period and the total wages for each pay period. <p>The record of wages paid must include:</p> <ol style="list-style-type: none"> 1. Money wages paid, such as wages, salary and commissions. 2. Reasonable cash value of remuneration other than cash such as board, room, laundry, etc., except where a meal is provided for the benefit of the employer. 3. Special payments, such as bonuses, gifts, prizes, dismissal pay, vacation pay or pay in the nature of vacation pay, wages in lieu of notice, and the period of time these special payments cover. 4. The amount of tips and gratuities, where these are customarily received by workers from persons other than the employer and are reported to the employer by the worker. <p>All payroll records must be kept in such a way that quarterly wages of each worker and the weeks in which the workers performed their services may be easily determined.</p> <p>Records must be kept for at least five years. The records must be open to inspection by the Department of Employment Security at all reasonable times.</p>
Workers' Compensation ¹⁴	YES	Employers must maintain accurate records of work-related deaths, injuries, or illnesses. This does not include minor injuries requiring only first aid and not involving further medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job.
OSHA	YES	Private sector employers in Illinois fall under federal OSHA jurisdiction. See the federal fact sheet for more details.
Federal	YES	There are numerous federal rules about recordkeeping. Employers should review the federal fact sheet.

Working Conditions

Topic	Answer	Summary
Bathrooms ¹⁵	YES	Illinois has incorporated the federal Pasteurized Milk Ordinance (PMO). The PMO specifies that dairy farms have one or more toilets that are conveniently located, properly constructed, properly operated, and maintained in a sanitary manner.



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Working Hours ¹⁶	NO	No max hour or day requirements for adults working in agriculture. See Child Labor (below) for maximum hours for minors.
Rest and Meal Breaks ¹⁷	YES	Employees that work 7.5 continuous hours or more must be given a meal break of at least 20 minutes . The meal period must be given no later than 5 hours after starting work. Illinois law does not require rest breaks. Employers that choose to provide rest and meal breaks must follow the applicable federal rules. Refer to federal fact sheet. See Child Labor (below) for rules for minors.
Labor Relations	NO	No provision in state law recognizing farm worker rights to organize.
Whistleblower Protection ¹⁸	YES	Employees cannot be fired or retaliated against for disclosing information that he/she has reasonable cause to believe discloses a violation of state or federal law or regulation. An employer also cannot retaliate if an employee refuses to participate in an activity that would result in a violation of state or federal law or regulation.
Paid Vacation or Sick Leave ¹⁹	NO	Paid sick or vacation leave is not required under Illinois law. Employers who choose to provide such benefits must follow their written policy/contract. Any employer that provides paid vacation to its employees must maintain true and accurate records of the number of vacation days earned for each year and the dates on which vacation days were taken and paid.
Breaks for Nursing Mothers ²⁰	YES	Employers with 5 or more employees must provide reasonable unpaid break time each day to employees who need to express breast milk. The break time may run concurrently with break time already provided to the employee. The law also requires employers to make reasonable efforts to provide a room or other location, other than a toilet stall, where an employee can express her milk in privacy.
Pregnancy Accommodations ²¹	YES	<p>Employers must provide reasonable accommodations to employees who have work-related limitations stemming from pregnancy, childbirth or a related condition, unless the accommodation would impose an undue hardship on the employer. Additionally, employers must treat women affected by pregnancy, childbirth, or related medical conditions the same as other employees not so affected but similar in their ability or inability to work, including with respect to leave requests.</p> <p>Reasonable accommodations include, but are not limited to:</p> <ul style="list-style-type: none"> • More frequent or longer bathroom breaks; • Breaks for increased water intake; • Breaks for periodic rest; • Private non-bathroom space for expressing breast milk and breastfeeding; • Seating accommodations; • Assistance with manual labor; • Light duty; • Temporary transfer to a less strenuous or non-hazardous position; • Acquisition or modification of equipment; • Job restructuring; • Part-time or modified work schedule; • Appropriate adjustment or modifications of examinations or training materials;



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		<ul style="list-style-type: none"> • Assignment to a vacant position; or Providing leave.
Family, Parental, and Pregnancy Leave ²²	YES / NO	<p>Illinois does not have a family and medical leave law for private sector employers. However, employees must be allowed to use accrued personal sick leave to care for the illness, injury, or medical appointments of the employee’s child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent.</p> <p>Federal law requiring unpaid leave may apply depending on the size of the employer. Refer to federal fact sheet.</p>
Jury Duty and Witness Leave ¹⁴	YES	<p>An employer cannot discharge, threaten to discharge, coerce, or intimidate an employee for responding to a jury summons or serving on a jury. An employer must provide leave for an employee to respond to a jury summons or serve on a jury. Employees must give reasonable advance notice. Illinois law does not require that the leave be paid.</p>
Crime Victim Leave ¹³	YES	<p>Employees that have been the victim of domestic or sexual violence, or who have a family or household member that is such a victim, are entitled to leave to seek medical attention or counseling, obtain services from a victims organization, participate in safety planning or relocation, or seek legal assistance. Unless it is not possible, the employee must provide 48-hour notice.</p> <p>Employers with 50 or more employees must provide up to 12 weeks of unpaid leave during any 12 month period. Employers with 15 to 49 employees must provide up to 8 weeks during any 12 month period. Employers with at least one but not more than 14 employees must provide up to 4 weeks of leave during any 12-month period.</p>
Military and Military Spouse Leave ²³	YES	<p>Employees called to activity duty or training in the military services (including Army, Navy, Marine Corps, etc.) are entitled to leave and job reinstatement benefits. Federal rules also apply; refer to the federal fact sheet.</p> <p>Employees that have been with the same employer for at least 12 months, and have worked at least 1,250 hours during the past 12 months, may be entitled to family military leave. Family military leave is for an employee who is the spouse or parent of a person called to military service that lasts longer than 30 days. Employers with 15 to 50 employees must provide up to 15 days of unpaid leave. An employer with more than 50 employees must provide up to 30 days.</p>
Voting Leave ²⁶	YES	<p>Employees are entitled to up to two hours of leave to vote, if they do not have 2 hours before or after their shift when the polls are open. Employees must provide advance notice at least one day before the election. The employer can decide when the hours off are taken.</p>
School Activity Leave ²⁷	YES	<p>Employees may be entitled to up to 8 hours of leave per school year to attend a child’s school conferences or classroom activities. The leave is unpaid, but employees can use accrued vacation or other paid time off. Eligible employees must have worked at least half-time with the employer for at least 6 months prior to the leave. Leave must be requested in advance in writing. Applies only to employers with 50 or more employees.</p>



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Human Rights

Topic	Answer	Summary
Employment Discrimination ²⁸	YES	<p>Illinois law prohibits employment discrimination based on race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, sexual orientation, gender identity, age 40 and above, ancestry, marital status, order of protection status, citizenship status, physical or mental handicap, military duty status or discharge status (with exceptions), genetic testing (under Genetic Information Privacy Act), medical marijuana, and expunged or sealed criminal history. Applies to employers with 15 or more employees. For physical/mental disability, pregnancy, or sexual harassment cases, applies to all employers with 1 or more employees.</p> <p>Employment discrimination means bias in hiring (including during interviews), promotion, job assignments, firing, pay, and other terms of employment.</p> <p>Employers cannot pay men and women different wages for comparable work on jobs that have virtually the same requirements in terms of skills, effort, and responsibility. Wage differences based on seniority, merit, quantity or quality of production or other factors other than sex are permitted.</p> <p>It is illegal to retaliate against employees for filing or otherwise aiding with a complaint.</p>
Harassment / Sexual Harassment ²⁹	YES	<p>Illinois law prohibits sexual harassment in the workplace. Sexual harassment is unwelcome conduct. It becomes illegal when (1) employees have no choice but to tolerate the harassment if they want to keep their job; (2) it is so severe that a regular person would see it as intimidating, hostile, or abusive.</p> <p>Sexual harassment includes unwelcome sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature when:</p> <ul style="list-style-type: none"> • Engaging in such conduct is made an implicit or explicit term or condition of employment. Example: A newly hired milker is told that sexual jokes, touching and nude posters are just part of farm life and she should try to ignore it. • Acceptance or rejection of such conduct is used as the basis for an employment decision affecting an employee. Example: A manager tells a worker applying for a promotion that the job would be his if he just “treated her right.” • The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment. Example: One worker experiences repeated advances from another asking her for dates or “just to go out for drinks after work.” The worker says she isn’t interested, but the co-worker won’t take ‘no’ for an answer.



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		It is illegal to retaliate against employees for filing or otherwise aiding with a complaint.
Forced Labor ³⁰	YES	Human trafficking is illegal in Illinois. Trafficking for labor means: recruiting, enticing, harboring, transporting, providing, or obtaining of a person by any means for subjection to forced labor, forced services, debt bondage, or slavery. Employers should ensure they are carefully following all visa requirements or work agreements to avoid any inadvertent violations.

Child Labor

Topic	Answer	Summary
Child Labor ³¹	YES	Illinois child labor laws do not apply to minors employed by their family on the family farm where they live. The only part of Illinois child labor law that applies to agriculture is the minimum age requirement. Farms are encouraged to review the federal fact sheet for additional child labor laws, including prohibited and restricted occupations for minors. Minimum age: <ul style="list-style-type: none"> • During school hours: 12 • Outside school hours: 10

Health and Safety

Topic	Answer	Summary
OSHA	YES	Private sector employers in Illinois fall under federal OSHA jurisdiction. See the federal fact sheet for more details.
Workers Compensation ³²	YES	Illinois agricultural employers must carry workers' compensation coverage if they employ 400 working days of labor or more per quarter during the preceding calendar year. Employers must report any work-related injury or illness that results in three days or more of lost work to the Worker's Compensation Commission within one month. Fatalities must be reported immediately, but no later than two working days. More details.
Housing	YES / NO	Illinois law does not explicitly address standards for permanent agricultural housing, though general landlord/tenant or public health laws may apply. Employers should follow best practices when providing housing – which includes, at minimum, a written housing agreement and properly maintaining the facilities. The FARM HR Manual has guidance around best practices for agricultural worker housing.

¹ Ill. Admin. Code tit. 56 §300.630

² 820 Ill. Comp. Stat. §115/3 and §115/4 and §115/10



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- ³ 820 Ill. Comp. Stat. §115/5; Ill. Admin Code tit. 56 §300.520
- ⁴ 820 Ill. Comp. Stat. § 105/4a(2)(C)
- ⁵ 820 Ill. Comp. Stat. § 105/3(d)
- ⁶ Ill. Admin. Code tit. 56 §210.110; §300.630(d)
- ⁷ 820 Ill. Comp. Stat. § 115/10 and Ill. Admin. Code tit. 56 §300.600
- ⁸ 35 Ill. Comp. Stat. §5/701; 820 Ill. Comp. Stat. §405/211.4; §405/218
- ⁹ 820 Ill. Comp. Stat. §115/9; Ill. Admin. Code tit. 56 §210.200; Ill. Admin. Code tit. 56 §300.700 to 300.930
- ¹⁰ Ill. Admin. Code tit. 56 §300.500
- ¹¹ 820 Ill. Comp. Stat. § 105/8; Ill. Admin. Code tit. 56 §210.700 and §210.730; Ill. Admin. Code tit. 56 §300.630
- ¹² 820 Ill. Comp. Stat. §40/2
- ¹³ Ill. Admin. Code tit. 56 §2760.115; §2760.125
- ¹⁴ 820 Ill. Comp. Stat. §305/6(b)
- ¹⁵ 410 Ill. Comp. Stat. §635
- ¹⁶ 820 Ill. Comp. Stat. §140/2(b)(3)
- ¹⁷ 820 Ill. Comp. Stat. §140/3 and Ill. Admin. Code tit. 56 §220.800
- ¹⁸ 740 Ill. Comp. Stat. §174/15 and §174/20
- ¹⁹ 820 Ill. Comp. Stat. §115/2
- ²⁰ 820 Ill. Comp. Stat. §260
- ²¹ 775 Ill. Comp. Stat. §5/2-102(I)-(J); Ill. Adm. Code tit. 56, § 5210.110
- ²² 820 Ill. Comp. Stat. §191/1 *et seq.*
- ²³ 820 Ill. Comp. Stat. §151/1 *et seq.*; 330 Ill. Comp. Stat. §60/1 *et seq.*
- ²⁴ 820 Ill. Comp. Stat. §180
- ²⁵ 705 Ill. Comp. Stat. §305/4.1
- ²⁶ 10 Ill. Comp. Stat. §5/7-42; 5/17-15
- ²⁷ 820 Ill. Comp. Stat. §147/1 *et seq.*
- ²⁸ 775 Ill. Comp. Stat. §5; 410 Ill. Comp. Stat. §513; 820 Ill. Comp. Stat. § 105/4(b)
- ²⁹ See above, particularly 775 Ill. Comp. Stat. §5/2-102(D)
- ³⁰ 720 Ill. Comp. Stat. §5/10-9(d)
- ³¹ 820 Ill. Comp. Stat. §205/1
- ³² 820 Ill. Comp. Stat. §305/3; §305/6(b); Ill. Admin. Code tit. 50 §9010.10