

Illinois Augments One Day Rest in Seven Requirements

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Illinois employers must be mindful of amendments to the One Day Rest in Seven Act (the “Act”), which will come into effect on January 1, 2023. The amendments will impact the number of days a non-exempt employee can work in a row, the meal periods employees must receive and the penalties for violations of the Act.

The Act currently requires employers (with limited exception) to provide non-exempt employees with one day (24 hours) of rest during each calendar week. A calendar week under the Act runs Sunday through Saturday. Pursuant to the amendments to the Act, however, Illinois employers must provide employees with one day off during each consecutive seven-day period, regardless of the specific days encompassed by that seven-day period.

The amendments to the Act also alter an Illinois employer’s obligation to provide employees with meal periods. Currently, an employee who is to work 7.5 hours must receive a 20-minute meal period during the first five hours of the 7.5-hour period. Per the amendments, an employee who works 7.5 hours is also entitled to an additional meal period of 20 minutes for each additional 4.5 hours of work.

Violations of the Act are currently considered petty offenses and carry a fine of up to \$100 per offense. Effective January 1, 2023, violations will be deemed civil offenses and carry a fine of up to \$250 for employers with fewer than 25 employees, and up to \$500 for employers with 25 or more employees.

Illinois employers should promptly review their rest and meal break policies to prepare for the more stringent requirements of the Act.

If you have any questions regarding the topics discussed in this article, please contact **Elizabeth N. Hall** at ehall@vedderprice.com, **Ryan Probasco** at rprobasco@vedderprice.com or any other Vedder Price attorney with whom you have worked.

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