

EMPLOYER LAW BLOG

ILLINOIS EMPLOYER ALERT: New Requirements on Rest Days and Meal Breaks

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Currently, ODRISA requires employers to provide non-exempt employees with one rest day within each calendar week, Sunday through Saturday. However, under the new law, employers will be required to provide this rest day once every seven consecutive days, regardless of the calendar week.

The practical effect of the new law will be to limit employers in scheduling employees. Under this new law, employees can no longer be scheduled to work more than seven consecutive days.

The ODRISA amendment will also change meal break requirements. Currently, Illinois law requires a 20-minute unpaid meal break every 7.5 hours worked, which must be taken within the first 5 hours of the 7.5-hour shift.

Under the current version of the law, to be entitled to a second 20-minute meal break during a shift, an employee must work an additional 7.5 hours—that is, a total of 15 hours.

However, the new ODRISA law will change this rule by entitling employees to an additional 20-minute unpaid meal break for each additional 4.5 hours worked, as opposed to 7.5.

Overall, these changes are clearly favorable to employees and limit employers in how they may schedule work. The ODRISA amendments also include heightened penalties for violations, so employers should take caution and heed the upcoming changes.

Contact a member of our Labor and Employment Team to review your policies and practices, prepare for these upcoming changes, and avoid any penalties or compliance issues.