

ILLINOIS DEPARTMENT OF LABOR

Economic Development and Infrastructure Agency/Executive Agency

FY14 Headcount: 94

<http://www.illinois.gov/idol/Pages/default.aspx>

Summary of Agency Operations

The Department of Labor (DOL) promotes and protects the rights, wages, welfare, working conditions, and safety and health of Illinois workers through enforcement of state labor laws. These laws include Minimum Wage Law, Wage Payment and Collection Act, Child Labor Law, Equal Pay Act, Victims' Economic Security and Safety Act, Prevailing Wage Act, Safety Inspection and Education Act, and Health and Safety Act. The department issues licenses for nurse employment agencies, employment agencies and employment counselors. It also regulates carnival and amusement rides under the Carnival and Amusement Ride Safety Act.

Internal Hiring

Agency positions subject to restrictions based on criminal history

None, per agency report.

Statutory, regulatory, agency policy restrictions applicable to internal hiring

None, per agency report

System of personnel administration

Personnel Code [20 ILCS 415]

Title 80, III Admin Code, Section 302.130 Removal of names from eligible list

See Chapter IV of the Final Report for the enumerated criminal history restrictions in the Personnel Code, administered by CMS Bureau of Personnel, related to being qualified for open competitive examinations and subsequent appointment.

Background Check Procedures:

(1) Self-disclosure on application

Yes (CMS 100 and CMS 284)

(2) Background check review procedure

Background checks are not done, per agency report

Exemption, waiver, or review mechanisms

N/A

Total number of people who underwent a background check

N/A

Occupational Licensing, Certification, Regulation

Occupational licenses issued by agency that are subject to criminal history restrictions

Nurse agency operator; Employment agency operator; Employment counselor

Statutory/regulatory restrictions applicable to occupational licensing

Nurse Agency Licensing Act [225 ILCS 510/]

225 ILCS 510/8 (Grounds for denial of a license)

An application for an employment agency license **may be denied** for any of the following reasons: b. **conviction of the applicant of a felony**;

Restriction Type: Discretionary

Restriction Duration: Ever

Administrative Code: Title 68, Chapter III, part 690, Section 690.170. Denial of Initial License

A license **shall be denied** for any, but not limited to the following: b. a felony conviction of the prospective licensee

Restriction Type: Mandatory

Restriction Duration: Ever

Private Employment Agency Act [225 ILCS 515/].

225 ILCS 515/1 (Licenses; fees; application; schedule of fees and charges)

The applicant (for private employment agency license) shall furnish to the Department of Labor an affidavit stating that he has never been a party to any **fraud, has no jail or prison record**, belongs to no subversive societies, is of **good moral character**, has business integrity and is financially responsible.

In determining moral character and qualification for licensing, the Department may take into consideration any criminal conviction of the applicant, but such a conviction shall not operate as a bar to licensing.

Restriction Type: Discretionary

Restriction Duration: Ever

225 ILCS 515/4 (Employment counselors; licensing)

The employment counselor applicant must furnish satisfactory proof to the Department that he has never been a party to any **fraud, has no jail record**, belongs to no subversive societies and is **of good moral character** and business integrity.

In determining honesty, truthfulness, integrity, moral character and business integrity under this Section, the **Department may take into consideration any felony conviction of the applicant**, but such a conviction shall not operate as a bar to licensing.

Restriction Type: Discretionary

Restriction Duration: Ever

Employment Contracting

Contracting restrictions based on criminal history

Illinois Procurement Code (30 ILCS 500/)

30 ILCS 500/50-2 (Continuing disclosure; false certification)

30 ILCS 500/50-5 (Bribery)

30 ILCS 500/50-5 (c) (Conduct on behalf of business)

30 ILCS 500/50-10 (Felons)

30 ILCS 500/50-10.5 (Prohibited bidders and contractors)

See section IV. of this report for a discussion of criminal history-based restrictions on contracting with the State in the Illinois Procurement Code.

Summary of Employment Restrictions from Agency Report

The Department does not have an established policy with respect to restricting employment of employees who may have a criminal history. The Department has not submitted applicants for employment to criminal background checks, and has not denied employment to any person as a result of a criminal background check conducted by the Department.