

Illinois labor law checklist 2026

Minimum wage	\$15.00 an hour.
Tipped cash wage	\$9.00
Next change	None scheduled
Local rates	Chicago and Cook County set higher local minimum wages, and Chicago is phasing out the tip credit.
Overtime	The federal FLSA rule applies: overtime at 1.5 times the regular rate after 40 hours in a workweek. There is no daily overtime rule.
Exempt salary test	Federal \$684 a week (\$35,568 a year).
Meal breaks	A 20-minute meal period, starting no later than 5 hours into the shift, for employees working 7.5 or more continuous hours. Hotel room attendants in Cook County get a 30-minute meal period and two paid 15-minute breaks.
Rest breaks	No general paid rest break rule, except for hotel room attendants in Cook County and nursing mothers.
Final pay if fired	Immediately if possible, and no later than the next regular payday.
Final pay if they quit	No later than the next regular payday.
Unused PTO	Required. Earned vacation under a policy or contract must be paid at separation, and can't be forfeited.
Paid sick leave	Paid Leave for All Workers Act: 1 hour for every 40 hours worked, up to 40 hours a year, usable for any reason. Chicago and Cook County have their own paid leave rules.
Paid family leave	No state paid family leave program. The federal FMLA gives eligible employees of employers with 50 or more employees up to 12 weeks of unpaid, job-protected leave.
Pay transparency	Required for employers with 15 or more employees: pay scale and benefits in every posting.
New hire reporting	Report each new hire within 20 days of the hire date, the federal deadline.
State income tax	Withhold state income tax.
State agency	Illinois Department of Labor: https://labor.illinois.gov

What trips up Illinois employers

- ☐ Paid leave can be used for any reason, and employees don't have to explain why.
- ☐ Chicago and Cook County have higher minimum wages and separate paid leave rules.
- ☐ Use-it-or-lose-it vacation policies aren't allowed. Earned vacation is paid at separation.
- ☐ Check the minimum wage on January 1 and July 1, and update payroll and posters.
- ☐ Confirm final pay timing before every termination meeting.

All 50 states and DC, comparison tables, and a free CSV: hrtally.com/state-labor-laws

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