



City of Chicago



O2022-407

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 1/26/2022

Sponsor(s): Villegas (36)
La Spata (1)

Type: Ordinance

Title: Amendment of Municipal Code Chapters 6-100 and 6-105 by modifying various sections and adding new Sections 6-100-040 and 6-100-050 regarding procedures for payment of wages, minimum and maximum salary stated in job listings, and establishment of fines and penalties

Committee(s) Assignment: Committee on Workforce Development

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Sections 6-100-010 through 6-100-030 of the Municipal Code of Chicago are hereby amended by deleting the language struck through and inserting the language underscored, as follows:

6-100-010 Definitions.

(Omitted text is unaffected by this ordinance)

"Employee" means an individual ~~that~~ who performs work for an Employer as in the capacity of an employee, as distinguished from a contractor, determined pursuant to Internal Revenue Service guidelines, unless otherwise defined within this title.

"Employer" means a person who ~~gainfully~~ employs at least one Employee, unless otherwise defined within this title.

(Omitted text is unaffected by this ordinance)

6-100-020 ~~Violation – Penalty.~~ Procedures for payment of wages.

~~Any violation of this chapter shall be punishable by a fine of \$500.00. Each violation of this chapter shall constitute a separate offense.~~

(a) Employers engaged in any business within the city are required to provide each Employee with evidence of compensation owed and:

(1) lawful money, without discount, as determined pursuant to the Federal Reserve Act;

(2) explicitly identify the Employer's current office or place of business address; and

(3) within a time reflective of the ordinary business practices within the industry of such Employer-Employee relationship.

6-100-030 ~~Retaliation Prohibited.~~ Minimum and maximum salary in job listings.

~~It shall be unlawful for any employer to discriminate in any manner or take any adverse action against any individual in retaliation for exercising any right under this title, including, but not limited to, disclosing, reporting, or testifying about any violation of this title or rules promulgated thereunder.~~

(a) It shall be an unlawful discriminatory practice for an Employer or agent thereof, to publicly display a job, promotion or transfer opportunity, without stating the minimum and maximum salary of such position the Employer believes in good faith at the time of posting to be.

(b) For purposes of this Section, Employee as defined in Section 6-100-010 shall also include the following:

(1) Independent contractors in furtherance of the Employer's business enterprise;

(2) The Employer's parent, spouse, domestic partner or child, if employed by the Employer; and

(3) Domestic Workers as defined in Section 6-105-010.

(c) For purposes of promotional opportunities, Employers must make reasonable efforts to announce, post, or otherwise make known all opportunities for promotion to all current Employees prior to making a promotion decision.

(d) This section shall not apply to a temporary Employee position.

(e) Employers are prohibited from requesting the Employee-applicant's salary history.

(f) Nothing in this Section shall prohibit the Employer from establishing a variation in wage that is based on any of the following:

(i) A seniority system that does not discriminate on the basis of sex or gender identity;

(ii) A merit increase system that does not discriminate on the basis of sex or gender identity;

(iii) Jobs that require different abilities or skills;

(iv) Jobs that require the regular performance of different duties or

services:

(v) A system that measures performance based on a quality or quantity of production; or

(vi) A factor other than sex or gender identity, such as education, training, credential, skill or experience.

SECTION 2. Chapter 6-100 of the Municipal Code of Chicago is hereby amended by adding new Sections 6-100-040 and 6-100-050, underscored as follows:

6-100-040 Retaliation prohibited.

It shall be unlawful for any Employer to discriminate, in any manner or take any adverse action, against any individual in retaliation for exercising any right under this title, including, but not limited to disclosing, reporting, or testifying about any violation of this title or rules promulgated thereunder.

6-100-050 Violation - Penalty.

Any violation of this title that does not state a penalty shall be punishable by a fine of no less than \$500.00, but no more than \$1,000.00 for each offense. Each violation of this title shall constitute a separate offense.

SECTION 3. Sections 6-105-010 and 6-105-015 of the Municipal Code of Chicago is hereby amended by deleting the language struck through as follows:

6-105-010 Definitions.

(Omitted text is unaffected by this ordinance)

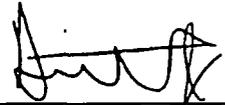
~~"Employee" means an individual that performs work for an employer in the capacity of an employee, as distinguished from a contractor, determined pursuant to Internal Revenue Service guidelines.~~

(Omitted text is unaffected by this ordinance)

~~6-105-015 Procedures for payment of wages.~~

~~No person engaged in any business within the city shall issue, in payment of or as evidence of indebtedness for wages due an employee for labor, any acknowledgment of indebtedness, including but not limited to scrip, time checks or store orders, unless such evidence of indebtedness is payable or redeemable upon demand, without discount and for face value in lawful money of the United States at the office or place of business of such person.~~

SECTION 4. This ordinance shall take effect 60 days after passage and publication.



Gilbert Villegas
Alderman, 36th Ward



CITY OF CHICAGO

OFFICE OF THE CITY CLERK
ANNA M. VALENCIA

Chicago City Council Co-Sponsor Form

Document No.: 02022-407

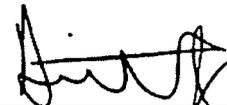
Subject: Amendment of Municipal Code Chapters 6-100 & 6-105 by modifying various sections and adding new Sections 6-100-040 and 6-100-050 regarding procedures for payment of wages, minimum and maximum salary stated in job listings, & establishment of fines...

Adding Co-Sponsor(s)

Please **ADD** Co-Sponsor(s) Shown Below – (Principal Sponsor’s Consent Required)

Alderman Daniel La Spata  (1 Ward)
(Signature)

Alderman _____ (Ward)
(Signature)

Date Filed: _____ Principal Sponsor:  _____
(Signature)

Removing Co-Sponsor(s)

Please **REMOVE** Co-Sponsor(s) Below – (Principal Sponsor’s Consent NOT Required)

Alderman _____ (Ward)
(Signature)

Alderman _____ (Ward)
(Signature)

Date Filed: _____

- Final Copies To Be Filed With:
- Chairman of Committee to which legislation was referred
 - City Clerk