

**THIS FORM SHOULD BE SENT TO THE EMPLOYER, NOT THE ILLINOIS DEPARTMENT OF LABOR.
THIS FORM DOES NOT START A COMPLAINT WITH THE DEPARTMENT.**

Demand for Payment of Wages: Instructions and Information

If your employer owes you wages, you may want to send a written demand to formally ask for the wages. Sending a written demand is not required but often convinces employers to pay what they owe. If the employer still does not pay what they owe, you may file a complaint under the Illinois Wage Payment and Collection Act, 820 ILCS 115/1, with the Illinois Department of Labor (the “Department”). An employee can send a demand before, after, or at the same time as they file a complaint with the Department. It is not required to send a demand letter prior to filing a complaint with the Department with the Illinois Department of Labor (the “Department”) or directly in court.

The form below is a sample Demand for Payment of Wages that you can fill out and send to your current or former employer if you choose too. You can also write your own demand letter or consult with an attorney.

To use this written demand:

- **Fill out the form completely**, including the date and your signature (which can be your typed name, if you fill out the form on a computer).
- **Save a copy of the completed form.** Keep any other records showing when, and to whom, you sent it. Keep any responses you receive from the employer.
- **Send the original to the employer’s correct address.** You may wish to use certified mail, so you have a record of mailing and proof the employer received it.
- **Do *not* send this form to the Department.** This form does not initiate a complaint with the Department.

If you would like to recover your wages through the Department’s complaint process:

- You must file a complaint with the Department. You may use the [online Wage Claim application](#) process. The online complaint process guides claimants through the steps to submit a complete and accurate claim
- You can send a demand and file a complaint simultaneously. You do not need to wait for your employer’s response to file a complaint with the Department. If your complaint has been resolved, notify the Department immediately.
- Complaints must be filed within one year after the wages or final compensation were due. 56 Ill. Adm. Code. Section 300.940

Penalties

If the employer does not pay your wages due and the Department finds that the wages should have been paid, the Department may order the employer to pay, in addition to the amount of any unpaid wages, damages and penalties to the employee and the Department.

To learn more about filing a complaint with the Illinois Department of Labor, and the Department’s complaint process, please visit our website at <https://labor.illinois.gov/faqs/how-to-file-a-claim.html>

Note: The Department cannot provide legal advice on complaints. If you need legal advice, please consult an attorney.

**THIS COURTESY FORM IS PROVIDED BY THE ILLINOIS DEPARTMENT OF LABOR.
THE DEPARTMENT HAS MADE NO DETERMINATION AS TO THE VALIDITY OF THE DEMAND.**

DEMAND FOR PAYMENT OF WAGES

TO:	FROM:
_____ (EMPLOYER/BUSINESS/COMPANY NAME)	_____ (EMPLOYEE NAME)
_____ (OWNER/OFFICER/MANAGER)	_____ (JOB TITLE)
_____ (MAILING ADDRESS)	_____ (MAILING ADDRESS)
_____ (CITY, STATE, ZIP)	_____ (CITY, STATE, ZIP)
_____ (EMAIL ADDRESS)	_____ (EMAIL ADDRESS)

Under the Illinois Wage Payment and Collection Act, I formally demand the following wages I am owed:

Total dollar amount that I believe I am owed: _____
(the amount may be approximate, or subject to change if evidence shows a different amount)

Dates for which I was not paid or underpaid: **From:** _____ **To:** _____

Description of the wages or compensation owed (another sheet may be attached if needed):

I have the right to file a complaint with the Illinois Department of Labor for the amount of unpaid wages or final compensation owed to me. Under Illinois law, an employer who is found to have violated the Wage Payment and Collection Act is liable not only for any unpaid wages or final compensation owed to an employee but also for:

- **Damages** equal to 5% of the underpayment, per month (calculated from the date of the underpayment) for each month during which wages or final compensation remain unpaid. Damages are payable to the employee and continue to accrue until the amount found owing is paid;
- A **\$500 non-waivable administrative fee** to the Department. This fee increases to \$750 if the amount ordered by the Department is more than \$3,000, and \$1,250 for orders of \$10,000 or more;
- A **penalty**, payable to the Department, equal to 20% of the underpayment; and
- A **penalty**, payable to the employee, equal to 1% per day of the underpayment, for each day that payment is delayed. This penalty continues to accrue until the amount found owing is paid.

Please make payment to me by this method (select only 1 of 3 options and fill in the corresponding fields):

- ☐ Mail to my address listed above
- ☐ Direct deposit or transfer to the bank account you have on record for paying my wages
- ☐ Other payment method: _____

Employee Signature

Date