

AN ORDINANCE EXCLUDING THE CITY OF ROLLING MEADOWS AS A MUNICIPAL EMPLOYER FROM COVERAGE UNDER THE PAID LEAVE FOR ALL WORKERS ACT AND AMENDING THE CITY CODE TO REQUIRE A FORM OF PAID LEAVE FOR CITY EMPLOYEES

WHEREAS, on March 13, 2023, the Paid Leave for All Workers Act, 820 ILCS 192/1 *et seq.* (the “PLAW Act”) was signed into law, effective January 1, 2024, mandating that nearly all Illinois employers provide covered employees up to 40 hours of paid leave per 12-month period; and

WHEREAS, the PLAW Act excludes certain governmental employers from the mandates of the Act, including school districts and park districts, as well as certain private employers, but failed to exclude municipalities from the mandates of the PLAW Act; and

WHEREAS, in addition to the amount of paid leave required under the PLAW Act, paid leave under this law may be taken by an employee for any reason of the employee’s choosing, or for no reason at all, and must be provided by the employer upon the employee’s request, which request may be provided to the employer without advance notice, if the leave is not foreseeable, as determined by the employee; and

WHEREAS, the workforce of the City of Rolling Meadows provides essential and continuing governmental services, including police, fire and public works services, the operations of which could be severely disrupted by the application of the above-referenced impromptu leave mandated under the PLAW Act; and

WHEREAS, currently, full-time and part-time employees of the City of Rolling Meadows are provided paid leave benefits, including vacation, sick and personal leave, that meet or exceed the amount of paid leave provided under the PLAW Act, either through the application of benefits afforded under the City’s personnel policies, or pursuant to coverage under a *bona fide* collective bargaining or other agreement; and

WHEREAS, Section 15(p) of the PLAW Act also provides that the provisions of the PLAW Act shall not apply to any employer that is covered by a municipal ordinance that is in effect on January 1, 2024, that requires an employer to give any form of paid leave to their employees; and

WHEREAS, the City is a home rule unit of government under Section 6 of Article VII of the Illinois Constitution of 1970, and subject to said Section 6, may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, the corporate authorities of the City find that it is necessary to exercise its home rule powers to exempt the City and its employees from coverage under the PLAW Act, in order to ensure continuous government operations for protection of the health, safety and welfare of the residents of the City; and

WHEREAS, the corporate authorities of the City further find that it is necessary to require that the City, as an employer, provide a form of paid leave to its employees by amending the City Code to set forth this requirement.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Rolling Meadows, Cook County, Illinois, as follows:

SECTION 1: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2: Pursuant to the City's home rule authority, the City of Rolling Meadows, as a municipal employer, shall be excluded from coverage under the provisions of the Paid Leave for All Workers Act (820 ILCS 192/1 *et seq.*), and the City and all of its employees are hereby exempted and excluded from application of the Act.

SECTION 3: Article I, entitled "In General", of Chapter 2 entitled "Administration", of the Code of Ordinances, City of Rolling Meadows, Illinois is hereby amended by adding a new Section 2-7 to read as follows:

2-7 - Paid Leave Required for Full-Time City Employees.

The City of Rolling Meadows shall provide all full-time employees of the City with no less than five (5) work days of paid leave per year, to be administered pursuant to the applicable personnel policies of the City or a *bona fide* collective bargaining or other agreement.

SECTION 4: Pursuant to Section 2-7 of the Code of Ordinances, City of Rolling Meadows, Illinois and Section 15(p) of the Paid Leave for All Workers Act (820 ILCS 192/15(p)), the provisions of the PLAW Act shall not apply to the City of Rolling Meadows, as a municipal employer.

SECTION 5: Section 22-1185 of Article IV, entitled "Minimum Hourly Wages and Paid Sick Leave", of Article IV, of Chapter 22, entitled "Businesses," of the City of Rolling Meadows Code of Ordinances, is hereby amended to read as follows:

Sec. 22-1185. - Cook County Ordinances.

- (a) No additional obligations with regard to paid sick leave, or minimum hourly wages, including, without limitation, any additional obligations by ordinances adopted by the county board of commissioners, shall apply to any employer located within the city, except those applicable federal and/or state laws and regulations as such laws and regulations may exist from time to time.

SECTION 6: If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof.

SECTION 7: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

SECTION 8: This Ordinance shall be in full force and effect upon its passage and approval in accordance with law.

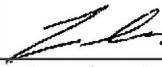
ADOPTED this 28th day of November, 2023.

AYES: Koehler, McHale, Budmats, O'Brien, Vinezeano, Boucher, Reyez

NAYS: 0

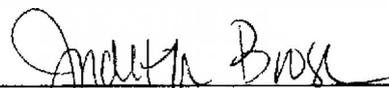
ABSENT: 0

APPROVED by me this 28th day of November, 2023.



Lara Sanoica, Mayor

ATTESTED and filed in my office,
this 28th day of November, 2023.



Judith Brose, Deputy City Clerk