

ORDINANCE NO. 24-01

AN ORDINANCE EXCLUDING THE CITY OF ROLLING MEADOWS FROM COVERAGE UNDER THE COOK COUNTY PAID LEAVE ORDINANCE AND DECLARING THAT ROLLING MEADOWS ORDINANCE NO. 23-55 SHALL PREVAIL WITH RESPECT TO PAID LEAVE APPLICABLE TO CITY EMPLOYEES

WHEREAS, the corporate authorities of the City of Rolling Meadows, Cook County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the health, safety, and welfare of its citizens; and

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, which leave is required to be granted on the demand of the employee, with or without advance notice; and

WHEREAS, due to the fact that the City provides its employees with sufficient paid leave benefits and in order to avoid disruption of the City’s essential governmental services implicated by the impractical mandates of the PLAW Act, on November 28, 2023, the corporate authorities of the City of Rolling Meadows adopted Ordinance No. 23-55, entitled, “*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*” (“City Ordinance 23-55”); and

WHEREAS, on or about December 14, 2023, the Cook County Board of Commissioners signed into law a home rule county ordinance, Ordinance No. 24-0583, mandating that Illinois employers, including units of local government, provide employees up to 40 hours of on-demand paid leave per 12-month period (“County Ordinance”), essentially mirroring the PLAW Act; and

WHEREAS, the corporate authorities of the City have determined that application of the County Ordinance to its own workforce will negatively impact the City and place an undue financial and operational burden on the City’s ability to provide uninterrupted services to its residents and, further, have determined that such County Ordinance conflicts with City Ordinance No. 23-55; and

WHEREAS, Article VII, Section 6(c) of the Constitution of the State of Illinois provides that when an Illinois home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction; 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 it necessary and in the best interests of the City to exercise its home rule powers and exclude itself and its employees from coverage under Cook County Ordinance 24-0583 and maintain its pre-existing policies regarding paid time off for its employees, in order to ensure continuous government operations for the protection of the health, safety and welfare of the residents of the City.

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: It is hereby declared that Cook County Ordinance No. 24-0583 conflicts with City Ordinance No. 23-55, and, as such, City Ordinance No. 23-55 prevails over County Ordinance No. 24-0583, in accordance with Article VII, Section 6(c) of the Constitution of the State of Illinois.

SECTION 3: Pursuant to the City's home rule authority, the City of Rolling Meadows, as a municipal employer, is hereby excluded from coverage under the provisions of County Ordinance No. 24-0583 and the provisions of the County Ordinance No. 24-0583 shall not apply to the City of Rolling Meadows, as a municipal employer.

SECTION 4: All pre-existing ordinances, policies and agreements of the City regarding paid time off for its employees, including Chapter 2, Article I, Section 2-7, entitled "Paid Leave Required for Full-Time City Employees", of the Code of Ordinances, City of Rolling Meadows, Illinois, shall remain in full force and effect.

SECTION 5: Article IV, entitled "Minimum Hourly Wages and Paid Sick Leave", of Article IV, of Chapter 22, entitled "Businesses," of the Code of Ordinances, City of Rolling Meadows, Illinois, is hereby deleted in its entirety.

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 23rd day of January, 2024.

AYES: Koehler, McHale, Vinezeano, Boucher, Reyez

NAYS: 0

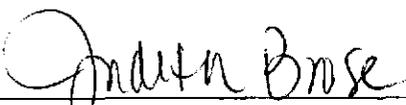
ABSENT: Budmats, O'Brien

APPROVED by me this 30th day of January, 2024.



Lara Sanoica, Mayor

ATTESTED and filed in my office,
this 30th day of January, 2024.



Judith Brose, Deputy City Clerk

