



## Illinois and Chicago Mandated Paid Sick Leave

**PAID** sick leave and family leave laws already are in place in numerous jurisdictions across the country, including five states (California, New York, Rhode Island, New Jersey and Washington), the District of Columbia and more than 20 municipalities. There is pending legislation on sick leave and family leave across the country, new legislation is being introduced almost daily, and new laws and regulations are going into effect sometimes before employers are even aware of the new requirements and prepared to implement new programs. Each jurisdiction has its own processes and procedures, no two are alike, leaving employers subject to confusing and contradictory laws and regulations, especially if they have employees in more than one jurisdiction. Now Illinois and Chicago are poised to join in.

The new Chicago Ordinance introduced to the City Council on April 13, 2016, as an amendment to the Chicago Minimum Wage Ordinance, applies broadly to all employees who work at least 80 hours within any 120-day period for an employer that maintains a business facility within the city of Chicago or that is subject to city licensing requirements, regardless of the number of persons the employer employs. The new Chicago Ordinance would require almost all Chicago employers to let workers earn at least five sick days a year. [CLICK HERE](#) to view the text of that proposed amendment, which has widespread support in the City Council.

A multitude of mandated paid sick leave bills appeared in Springfield, Illinois, recently. These range from proposals that would require small business owners to pay out one hour of leave for every 22 hours worked - to employers providing 12 weeks of leave during any 12-month period - to a state operated Family Leave Insurance Account Fund that would pay benefits from a mandatory \$2.50 per month employee wage deduction. The paid sick leave and family leave bills currently circulating in Springfield include:

- 1. HB 3297 (Rep. C. Mitchell) Paid Health Care Leave.** Creates the Employee Paid Health Care Time Act, any employer employing one or more individual to provide paid health care time, accruing at a rate of one hour for every 22 hours worked for an employer with 50 or more employees and at a rate of one hour for every 40 hours worked for an employer with fewer than 50 employees.
- 2. SB 2147 (Sen. Hutchinson) Healthy Workplace Act.** Creates the Healthy Workplace Act, employers must provide specified paid sick days to employees. Employees will be able to earn up to seven paid sick days in a 12-month period for certain circumstances.
- 3. HB 4036 (Rep. Lilly) VESSA Leave.** Amends the Victims' Economic Security and Safety Act, employers must provide a total of 12 workweeks of leave for during any 12-month period (previously small employers were only required to provide eight weeks).

**4. HB 6162 (Rep. Skoog)/SB 3097 (Sen. Collins) Employee Sick Leave.** Creates the Employee Sick Leave Act, employers must allow employees to use their paid sick leave benefits for absences due to an illness, injury, or medical appointment of the employee's child, spouse, sibling, parent, mother/father-in-law, grandchild/parent, or stepparent.

**5. HB 0166 (Rep. Flowers) Family Leave Insurance Program Act.** Creates the Family Leave Insurance Account Fund. Benefits will be paid by the Fund through an employee wage deduction in the amount of \$2.50 per month to be withheld by the employer and deposited in the Fund. The bill is applicable to any employer with 50 or more employees and the employee must work at least 680 hours in the applicable eligibility year.

These new and emerging laws and regulations create a multitude of legal and practical issues for employers from compliance, enforcement and reporting, as well as potential legal liability for non-compliance.

*To learn more about mandated paid sick leave and family leave laws and how to update your policies and procedures accordingly, please contact [Cheryl Tama Oblander](mailto:Cheryl.Tama.Oblander@agdglaw.com) or the Aronberg Goldgehn attorney with whom you normally consult.*

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