



Is Your Business Prepared to Comply With the Cook County and City of Chicago Paid Sick Leave Ordinances That Become Effective July 1, 2017?

Both Cook County and the City of Chicago have passed ordinances (collectively the “Paid Sick Leave Ordinances”) establishing a right to paid sick leave for certain employees who work within Cook County or the City of Chicago.¹ The Paid Sick Leave Ordinances become effective on July 1, 2017.

Is your business subject to the Paid Sick Leave Ordinances? If so, is it prepared to implement them in a few short weeks?

To aid with the interpretation of the Paid Sick Leave Ordinances, both Cook County and the City of Chicago published rules interpreting their respective ordinances. [Cook County’s rules](#) were approved and became final on May 25, 2017. The [City of Chicago’s draft rules](#) were published on May 22, 2017, but, despite the looming effective date of the ordinance, the draft rules have not yet become final. A review of Cook County’s rules and the City of Chicago’s draft rules could easily leave employers in a state of confusion as the rules are complicated and, in some instances, they are not consistent with each other.

To help cut through some of the density and confusion, we have prepared a chart listing some of the key provisions of the Paid Sick

Leave Ordinances and their rules/draft rules. [CLICK HERE](#) to view the chart.

We leave you with a few interesting “take-aways” and noteworthy points relating to the Paid Sick Leave Ordinances and their interpreting rules:

- If a covered employer already provides paid sick leave or paid time off, the Paid Sick Leave Ordinances do not require the covered employer to provide additional paid sick leave beyond the sick leave already provided, as long as the paid time off meets the minimum requirements of the Paid Sick Leave Ordinances.
- Even if an employer is physically located outside of Cook County or Chicago, the Paid Sick Leave Ordinances could apply to that employer if it, among other things: (a) permits an employee to work remotely (i.e. from home) and the employee lives in Cook County/Chicago; (b) compensates an employee for commuting or traveling through Cook County/Chicago; or (c) conducts significant business in Cook County/Chicago through an employee who is physically present there.

- If there is a conflict between the Cook County and City of Chicago Paid Sick Leave Ordinances, and the employee and employer are covered by both ordinances, the Chicago Ordinance is likely to control at least with respect to work performed within the city limits. It is unclear which ordinance will control covered Chicago employers who operate in other cities within Cook County.

- With respect to the Cook County Paid Sick Leave Ordinance, if a municipality within Cook County has opted out of the Ordinance, a covered employer located within that municipality may not be required to comply with the ordinance. To date, the following municipalities have opted out of the Cook County Paid Sick

Leave Ordinance: Arlington Heights, Barrington, Bedford Park, Elmwood Park, Mount Prospect, Oak Forest, Oak Lawn, Palatine, Palos Park, River Forest, Rolling Meadows, Rosemont, Schaumburg, Streamwood, Tinley Park and Wheeling.

If you have any questions about this Alert, or if you would like to review the Paid Sick Leave Ordinances and their implications further, please contact the author listed below or the Aronberg Goldgehn attorney with whom you normally consult.

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¹ [Cook County Earned Sick Leave Ordinance No. 16-4229](#), effective July 1, 2017; [City of Chicago Minimum Wage and Paid Sick Leave Ordinance, Chapter 1-24](#) of the Municipal Code of Chicago, effective July 1, 2017.