

ORDINANCE NO. 2023-0-020

AN ORDINANCE REGARDING THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT

WHEREAS, the Metro East Sanitary District is a Sanitary District created by Illinois Statute 70 ILCS 2905/1 et seq; and

WHEREAS, on or about March 12, 2023, Governor JB Pritzker signed into law the Paid Leave for All Workers Act, 820 ILCS 192/1 et. seq., (P.A. 102-1 143) hereafter referred to as the "Act"; and

WHEREAS, the State of Illinois did not make the necessary appropriations or include statutory language exempting the Act from the Illinois State Mandates Act, 30 ILCS 805/1 et seq; and

WHEREAS, effective January 1, 2024, the Act requires an employer to provide certain paid leave to their employees, unless the employer is subject to an existing municipal or county ordinance that requires the employer to provide any form of paid leave to their employees; and

WHEREAS, the Metro East Sanitary District recognizes the importance of paid leave and currently provides reasonable and adequate paid leave benefits to Metro East Sanitary District employees:
and

WHEREAS, the Metro East Sanitary District hereby determines that applying the Act to certain Metro East Sanitary District employees may negatively impact Metro East Sanitary District operations, and place an undue financial and operational burden on the Metro East Sanitary District's ability to provide critical services to its residents; and

WHEREAS, the Illinois Department of Labor is currently promulgating regulations interpreting the Act, per 820 ILCS 192/30(g), and final regulations are not expected before March, 2024; and

WHEREAS, the Act takes effect January 1, 2024, before the Illinois Department of Labor regulations interpreting the Act; and

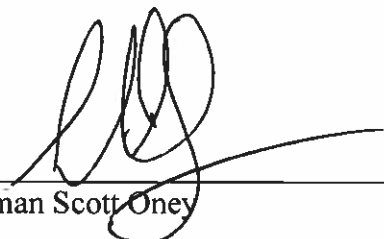
WHEREAS, there is uncertainty among entities that are subject to the Act and how this new Act will be applied and interpreted, including but not limited to how the Act will be construed in conjunction with other, existing laws and collective bargaining agreements; and

WHEREAS, the Metro East Sanitary District hereby finds it is in the best interest of the Metro East Sanitary District, its employees, and its residents, to more clearly define the paid leave benefits that

Metro East Sanitary District employees shall receive. **NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Board of Commissioners of the Metro East Sanitary District, as follows:

1. The foregoing recitals shall be, and hereby are, incorporated as findings of fact to this Ordinance, as if said recitals were fully repeated below.
2. Pursuant to Section 15(p) of the Act, the Metro East Sanitary District hereby adopts as its current Paid Leave Policy for Metro East Sanitary District employees not covered by collective bargaining agreements, the leave set forth in its collective bargaining agreements, Ordinances, and any policies, as may be amended from time to time. However, the Metro East Sanitary District shall provide no less than forty hours' paid leave per twelve-month period, to any full time Metro East Sanitary District employee, with that paid leave accruing at no less than one hour of paid leave for every 40 hours actually worked. This Ordinance shall be interpreted so as to offer and create no increase, pyramiding, or addition, of other rights to payment or to leave, beyond the rights already offered by the Metro East Sanitary District. It is the intent of this Ordinance that no new rights, duties, claims or causes of action, are created or supported by this Ordinance.
3. All Ordinances, Resolutions, and any policies or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of the conflict, expressly superseded by this Ordinance.
4. If any provisions of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision. Any such invalid provision or invalid application of this Ordinance is hereby deemed severable.
5. This Ordinance shall be in full force and effect upon passage.

ADOPTED this 19th day of December, 2023.


Chairman Scott Oney

Stacy Partney
District Clerk Stacy Partney