

STATE OF ILLINOIS)
COUNTY OF C O O K) SS
COUNTY OF W I L L)

CLERK'S CERTIFICATE

I, PATRICK E. REA, the duly elected and qualified Village Clerk of the Village of Tinley Park, Cook and Will Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of the Ordinance now on file in my office, entitled:

ORDINANCE NO. 2017-O-006

AN ORDINANCE ENACTING REGULATIONS REGARDING PAID SICK LEAVE AND MINIMUM WAGE REQUIREMENTS WITHIN THE VILLAGE OF TINLEY PARK

which was adopted by the Board of Trustees of the Village of Tinley Park at a regular meeting held on the 7th day of February, 2017, at which meeting a quorum was present, and approved by the President of the Village of Tinley Park on the 7th day of February, 2017.

I further certify that the vote on the question of the adoption of the said Ordinance by the Board of Trustees of the Village of Tinley Park was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Tinley Park, and that the result of said vote was as follows, to-wit:

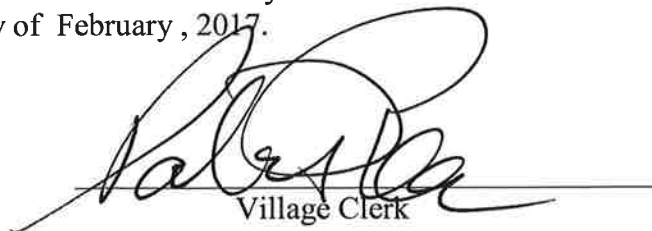
AYES: Maher , Grady , Pannitto , Vandenberg , Younker , Suggs

NAYS: None

ABSENT: None

I do further certify that the original Ordinance, of which the attached is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Tinley Park, this 7th day of February , 2017.


Village Clerk

ORDINANCE NO. 2017-O-006

AN ORDINANCE ENACTING REGULATIONS REGARDING PAID SICK LEAVE AND MINIMUM WAGE REQUIREMENTS WITHIN THE VILLAGE OF TINLEY PARK

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Tinley Park, Cook and Will Counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, on October 5, 2016, the County of Cook Board of Commissioners adopted an ordinance that requires employers in Cook County to provide a minimum number of paid sick days to employees ("*Cook County Paid Sick Leave Ordinance*"); and

WHEREAS, on October 25, 2016, the County of Cook Board of Commissioners adopted an ordinance that requires employers to pay an increased minimum wage in Cook County to employees ("*Cook County Minimum Wage Ordinance*"); and

WHEREAS, the Corporate Authorities of the Village of Tinley Park find that the Cook County Ordinances place an undue burden on employers within the Village of Tinley Park, given the current rights of employees available under Federal and State law; and

WHEREAS, Article VII, Section 6(c) of the Illinois Constitution provides that if a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction; and

WHEREAS, pursuant to its home rule powers, and the above-cited authority under the Illinois Constitution, the Corporate Authorities of the Village of Tinley Park have determined that it is in the best interests of said Village of Tinley Park and its residents to amend the Tinley Park Code of Ordinances to opt out of the Cook County Paid Sick Leave Ordinance and the Cook County Minimum Wage Ordinance and to clearly define the sick leave and minimum wage regulations that apply to employers located within the Village of Tinley Park pursuant to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Tinley Park, Cook and Will Counties, Illinois, as follows:

Section 1: The Preambles hereto are hereby made a part of, and operative provisions of, this Ordinance as fully as if completely repeated at length herein.

Section 2: That Title III Chapter 35 entitled "Employment Policies" is hereby amended by adding a new Section § 35.04 entitled "Paid Sick Leave; Minimum Wage – Employers", which new section shall read as follows:

§ 35.04 PAID SICK LEAVE; MINIMUM WAGE – EMPLOYERS.

(A) For the purposes of this Section, the term "EMPLOYEE" means an individual permitted and/or hired to work by an employer regardless of the number of persons the employer employs, or the number of hours worked, and the term "EMPLOYER" means any person, firm or corporation employing one or more employees, or seeking to employ one or more employees, if the employer has its principal place of business within the Village of Tinley Park, or does business within the Village of Tinley Park.

For the purposes of this Section, the term "EMPLOYER" does not mean:

- (1) The government of the United States or a corporation wholly owned by the government of the United States;
- (2) An Indian tribe or a corporation wholly owned by an Indian tribe;
- (3) The government of the State or any agency or department thereof; or
- (4) The government of any municipality."

(B) Employers located within the Village of Tinley Park shall comply with all federal and State employment laws and guidelines with regard to paid sick leave and the payment of minimum wage. Employee eligibility for paid sick leave and payment of minimum wage shall be pursuant to all federal and State employment laws and guidelines.

No additional obligations with regard to paid sick leave or payment of minimum wage, including, without limitation, any additional obligations adopted by the County of Cook Board of Commissioners, shall apply to employers located within the Village of Tinley Park, and the Village opts out of any such regulations or requirements, except those required by federal and State law or the Village of Tinley Park.

Section 3: Any policy, resolution, or ordinance of the Village of Tinley Park that conflicts with the provisions of this Ordinance shall be and is hereby repealed to the extent of such conflict.

Section 4: That this Ordinance shall be in full force and effect from and after its adoption and approval.

Section 5: The Village Clerk be and hereby is authorized and directed to publish this Ordinance in pamphlet form.

ADOPTED this 7th day of February , 2017, by the Corporate Authorities of the Village of Tinley Park on a roll call vote as follows:


AYES: Maher, Grady, Pannitto, Vandenberg, Younker, Suggs

NAYS: None

ABSENT: None

APPROVED this 7th _ day of February , 2017, by the President of the Village of Tinley Park.

ATTEST:


Village Clerk


Village President