

ORDINANCE

AN ORDINANCE REGARDING PAID LEAVE FOR VILLAGE EMPLOYEES

WHEREAS, the Village of Oak Park (“Village”) as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970 has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, the “powers and functions of home rule units shall be construed liberally,” and written “with the intention that home rule units be given the broadest powers possible,” *Scadron v. City of Des Plaines*, 153 Ill.2d 164 (1992); and

WHEREAS, on March 12, 2023, Governor JB Pritzker signed into law the Paid Leave for All Workers Act, 820 ILCS 192/1 *et seq.* (the “Act”); and

WHEREAS, the Act does not include any express limitation on the Village’s home rule authority as required by Article VII, Section 6 of the Illinois Constitution; and

WHEREAS, the Act expressly authorizes local ordinances providing any paid leave to be the controlling regulation within the appropriate jurisdiction; and

WHEREAS, the Cook County Earned Sick Leave Ordinance (“Cook County Ordinance”) provides the controlling regulations regarding paid sick leave for most employers located within the Village; and

WHEREAS, the Cook County Ordinance does not apply to the Village; and

WHEREAS, the Village recognizes the importance of paid leave and currently provides paid leave benefits to its employees in excess of what the Act would otherwise require; and

WHEREAS, the Village will provide paid leave to all employees, including those part-time employees that did not previously receive paid leave, in an amount equal to or greater than what would be required by the Act pursuant to the Village’s Personnel Manual and respective collective bargaining agreements; and

WHEREAS, the Village believes and hereby declares that it is in the best interests of the Village to clearly define the paid leave benefits that Village employees shall receive and the Village’s commitment to providing leave benefits to its employees in the manner set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein as though fully set forth.

Section 2. Village Leave Policy. The Village adopts its current paid leave policy for all Village employees as set forth in the Village's Personnel Manual, as amended, and any collective bargaining agreements to which the Village is a party and all other binding legislative actions governing paid leave adopted by the President and Board of Trustees of the Village, or any other policies implemented by the Village Manager, as the same may be amended from time to time. The Village shall provide paid leave to all employees in an amount no less than what is required pursuant to the initial version of the adopted Act.

Section 3. Exemption from Paid Leave Act. Pursuant to the Village's home rule authority and the express authority provided in the Act, the Village declares that as an employer, the Village is subject to the provisions of this Ordinance and is thereby exempt from the requirements of the Paid Leave for All Workers Act, 820 ILCS 192/1 *et seq.* As an employer, the Village shall have no obligations with regard to mandatory paid leave or its use by employees as required by the Act while this Ordinance is in effect.

Section 4. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ADOPTED this 4th day of December, 2023, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat				
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

APPROVED this 4th day of December, 2023.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 4th day of December, 2023.

Christina M. Waters, Village Clerk