

VILLAGE OF BOWEN, ILLINOIS

ORDINANCE NO. 457

**AN ORDINANCE REGARDING PAID LEAVE FOR EMPLOYEES
AS REQUIRED BY THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT**

**PUBLISHED (POSTED) IN PAMPHLET FORM
BY AUTHORITY OF THE VILLAGE BOARD
OF THE VILLAGE OF BOWEN, HANCOCK COUNTY, ILLINOIS.**

DATE OF PUBLICATION (POSTING): January 11, 2024

VILLAGE OF BOWEN, ILLINOIS

ORDINANCE NO. 457

AN ORDINANCE REGARDING PAID LEAVE FOR EMPLOYEES
AS REQUIRED BY THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT

WHEREAS, the Village of Bowen (“the Village”) is a non-home rule municipality duly organized under, and subject to, the laws of the State of Illinois; and

WHEREAS, Section 1-2-1 of the Illinois Municipal Code (65 ILCS 5/1-2-1) provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations which are proper or necessary to carry into effect the powers granted to municipalities, with such fines and penalties as may be deemed proper; 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.*) (“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 ordinance that requires the employer to provide any form of paid leave to their employees; and

WHEREAS, the Village Board of the Village of Bowen (“the Village Board”) recognizes the importance of paid leave and will follow the mandates of the Act as to its employees even though that doing so will place an undue financial and operational burden on the Village; and

WHEREAS, the Village Board believes, and hereby declares, that it is in the best interest of the Village to clearly define the paid leave benefits that full-time and part-time employees of the Village shall receive.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Bowen, Hancock County, Illinois, as follows:

SECTION 1. The facts and statements contained in the above preamble are true and correct and are hereby made a part of this ordinance as the findings of the Village Board.

SECTION 2. Pursuant to Section 15(p) of the Act, the Village hereby adopts the following policy as its paid leave policy for Village employees:

PAID LEAVE POLICY (pursuant to the PLAWA):

This policy applies to all employees of the Village, including seasonal employees. However, it does not apply to independent contractors retained by the Village.

As required by law, the Village shall keep records of all accrued paid leave (including the hours worked per year, the paid leave accrued, the paid leave taken, and the paid leave balance at year's end).

Accrual begins upon the start of employment or on January 1, 2024, whichever is later.

Each full-time and part-time employee of the Village shall receive one hour of paid leave per 40 hours worked, up to and including 40 hours of paid leave days per year. Leave may be taken for any reason, such as going to medical and dental appointments, caring for an ill family member, and attending a funeral.

Paid leave, once accrued, will be granted after the employee provides sufficient notice (of at least 7 days) to the Village President (or Acting Village President). If paid leave is necessary due to an emergency, then notice shall be given by the employee as soon as possible.

Up to 40 hours of accrued paid leave may be carried over to the next 12-month period. However, depending on the circumstances, the Village may allow, but is not required to allow, more than 40 hours of paid leave off in a year.

The Village is not obligated to pay out any accrued, but unused, paid leave. There shall be no payout of any accrued, but unused, paid leave upon separation (resignation or termination).

SECTION 3. Repeal of Conflicting Provisions. To the extent that any previously adopted ordinance, resolution, or policy conflicts with the provisions of this ordinance, they are, to the extent of the conflict, expressly repealed on the effective date of this ordinance.

SECTION 4. Severability. If any provision of this ordinance, or its application to any person or circumstance, is ruled unconstitutional or otherwise invalid, such invalidity shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and each invalid provision or invalid application is severable.

SECTION 5. Effective Date. The Village Clerk is directed to publish (post) this ordinance in pamphlet form. This ordinance shall be in full force and effect from and after its passage and publication as required by law (10 days after posting).

PASSED by the Village Board of the Village of Bowen, Hancock County, Illinois, on January 10, 2024, pursuant to the following roll call vote):
(List names)

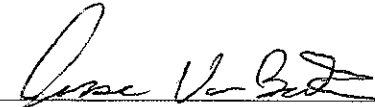
AYES: D Campbell, M Westfall, B Gaines, G Cole, T Westfall

NAYS: _____

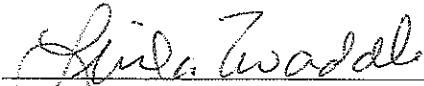
ABSENT: Sue Owen

ABSTAIN: _____

APPROVED on January 10, 2024


Village President

ATTEST:


Village Clerk

