



DUPAGE MAYORS  
AND MANAGERS  
CONFERENCE



## Paid Leave for All Workers Act Amendment Request to Ensure Local Government Safety

### Request Summary

The organizations listed above respectfully request that the Illinois General Assembly amend the Paid Leave for All Workers Act to exempt additional public bodies in order to ensure compatibility with safe and efficient local government operations. We appreciate that the intent of the legislation is to establish a minimum paid leave standard; however, the bill goes too far in limiting managerial control, which could threaten the provision of critical government services. The coalition recommends that the General Assembly exempt local governments from the Act before it goes into effect. Exemptions of local governments from the Act will ensure the continued and predictable provision of critical government services.

### Background

The Illinois Paid Leave for All Workers Act (Public Act 102-1143), which was signed into law on March 13, creates a number of unintended consequences for local governments. The Act has an effective date of January 1, 2024.

As defined by the Act, “employer” includes any political subdivision of the State or **units of local government**, or any State or local government agency; however, the Act currently exempts school districts and park districts. In brief, the Act mandates that employees be provided 40 hours of paid leave over a 12-month period. The leave may be used for any purpose (illness, vacation, care for family, etc.) at any time, and an employee is not required to provide an employer a reason for the leave.

### Key Findings/Concerns

- The unintended consequences of this Act could endanger the lives of Illinois residents. The provisions of the Act could limit critical emergency and first responder operations. As written, most or even an entire crew of police officers, fire fighters, emergency dispatchers, public works employees or other critical staff could take the same shift off with little to no notice, and the local government would not be able to deny those requests.
- This could leave our communities unable to meet minimum manning levels necessary to maintain public safety operations during natural disasters, water main breaks, snowstorms or other emergency situations.

- The Act's priorities are already being met by local governments. Typically, local government employees are currently entitled to paid leave far in excess of the provisions in the Act.
- Current collective bargaining agreements (CBAs) are in dramatic conflict with the Act. Where the Act severely limits the employers' ability to manage paid leave, local CBAs covering public safety are very specific in how and when paid leave can be used.
- Seasonal or part-time employees do not work regular set schedules or only work certain limited times of the year (meter readers, crossing guards, paid on-call firefighters, parks departments and other seasonal employees). The Act lacks clarity in how these workers would be able to accumulate paid leave. Similar concerns resulted in the exemption of park district and school district employees from the Act.
- Abuse of paid sick leave may occur with the Act's limitations on managerial oversight and required medical documentation. When public safety staffing is involved, an employer may currently require "proof of sickness" in certain circumstances to prevent abuse and maintain effective operations. Similarly, the employer could be unable to require the public safety employee to prove they are fit for duty upon their return.

### **Recommendation – Legislative Solution**

To prevent disruptions in critical government services, during the fall veto session, the coalition requests that the General Assembly amend the Paid Leave for All Workers Act to exempt local governments. The following legislative language is presented for consideration:

Section 10. Definitions. As used in this Act:

"Employer" does not include school districts organized under the School Code, ~~or~~ park districts organized under the Park District Code, municipalities organized under the Municipal Code, townships organized under the Township Code, or counties organized under the Counties Code.

### **Conclusion**

Because the provisions of the Act will conflict with a local government's ability to provide critical public safety services, the General Assembly should amend the Act to exempt local governments. Local governments are already meeting the intent of the legislation and should not be subjected to onerous provisions that will threaten government operations.