Legal Update

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Cook County Passes New Paid Leave Law, Effective Dec. 31, 2023

On Dec. 14, 2023, Cook County, Illinois, replaced its paid sick leave ordinance with a new paid leave ordinance, effective **Dec. 31, 2023**. The new ordinance is similar to the state-wide Paid Leave for All Workers Act, which takes effect Jan. 1, 2024, but does not apply to Cook County employers. The county expects to post updated notices, FAQs and complaint forms on its website by Jan. 1.

Covered Employers and Workers

The ordinance covers most employers except the state government. All employees are eligible for leave except:

- Railroad workers;
- Temporary student workers employed by the college they attend;
- Short-term adjunct professors; and
- Collectively bargained employees, if certain conditions are met.

Accrual and Carryover of Leave

Under the ordinance, Cook County employees are entitled to earn and use up to a minimum of **40 hours of paid leave during a 12-month period for any purpose**. Leave accrues at the rate of one hour for every 40 hours worked, beginning at the start of employment or Dec. 31, 2023, whichever is later. Unused leave carries over into the next year; however, employers that frontload at least 40 hours of leave at the start of the year are exempt from carryover. A year is any 12-month period the employer designates in writing at the time of hire.

Use of Leave

Employees can begin using paid leave 90 days after they start employment or 90 days after the law takes effect on Dec. 31, 2023, whichever is later. Employees may use other available leave before using the new paid leave. Tipped employees must be paid at least the minimum wage while on leave.

Notice Requirements

- Employers may require seven calendar days' notice of foreseeable leave, if that requirement is in a written policy provided to employees, and notice as soon as practicable for unforeseeable leave.
- Employers must post a workplace notice about the ordinance and provide a written notice about the ordinance to employees when they start work. The county will prepare a model notice for employers to use.

The county will require 40 hours of paid employee leave for any reason beginning Dec. 31.

Provided you by Connor & Gallagher OneSource

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