VILLAGE OF BRADLEY

ORDINANCE NO. O-12-23-05

AN ORDINANCE REGARDING THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT FOR THE VILLAGE OF BRADLEY

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 11th DAY OF DECEMBER 2023

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee, Illinois this 11th day of December 2023.

ORDINANCE NO. __O-12-23-05__

AN ORDINANCE REGARDING THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT FOR THE VILLAGE OF BRADLEY

WHEREAS, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the health, safety, and welfare of its citizens; and

WHEREAS, the Village of Bradley is a non-home rule Illinois municipality; 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 or county ordinance that requires the employer to provide any form of paid leave to their employees; and

WHEREAS, the Village recognizes the importance of paid leave and currently provides reasonable paid leave benefits to its employees; and

WHEREAS, the Village has determined that applying the Act to its own employees will negatively impact the Village and place and undue financial and operation burden on the Village's ability to provide uninterrupted services to its residents; and

WHEREAS, the Village believes and hereby declares that it is in the best interests of the Village to clearly define paid leave benefits that Village employees shall receive; and

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. Pursuant to Section 15(p) of the Act, the Village hereby adopts its current paid leave policy for all Village employee's as set forth in the Village's Code of Ordinances, Personnel Handbook, Annual Salary Ordinances, any collective bargaining agreements to which the Village is a party and all other binding legislative actions governing paid leave adopted by the Corporate Authorities of the Village as the same may be amended from time to time. However, in no event shall the Village, as an employer, provide less than one (1) day of paid leave per year to any Village employee.

SECTION 3. Pursuant to the Village's current paid leave policies for Village employees as set forth in the Village's Code of Ordinances, Personnel Handbook, Annual Salary Ordinances, and any collective bargaining agreement to which the Village is a party, the Village declares that the Village of Bradley as an employer is exempt from the requirements of the Paid Leave for All Workers Act (820 ILCS 192/1 *et seq.*).

SECTION 4. To the fullest extent allowed by law, statute and equity, it is the intent of this Ordinance the upon the expiration of any employment agreement and/or collective bargaining agreement to which the Village of Bradley is a party, that said agreement's terms concerning paid leave shall continue in effect for employees covered by said agreement, and not the requirements of the Act, until a new agreement is made, at which time the new agreement shall control employee paid leave and not the Act.

SECTION 3. All ordinances, resolutions, and policies or parts thereof, in conflict with this Ordinance or any of its provisions, to the extent of the conflict, are expressly repealed on the effective date of this Ordinance.

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

SECTION 5. The clerk is directed by the corporate authorities to publish this Ordinance in pamphlet form. This Ordinance shall be in full force and effect after its passage and publication in accordance with 65 ILCS 5/1-2-4.

[Intentionally Blank]

PASSED by the Board of Trustees on a roll call vote on 11th day of December 2023.

TRUSTEES:

RYAN LEBRAN   Aye – ✓   Nay – ____   Absent – ____

BRIAN BILLINGSLEY   Aye – ✓   Nay – ____   Absent – ____

DARREN WESTPHAL   Aye – ✓   Nay – ____   Absent – ____

BRIAN TIERI   Aye – ✓   Nay – ____   Absent – ____

GRANT D. VANDENHOUT   Aye – ✓   Nay – ____   Absent – ____

GENE JORDAN   Aye – ✓   Nay – ____   Absent – ____

VILLAGE PRESIDENT:

MICHAEL WATSON   Aye – ____   Nay – ____   Absent – ____

TOTALS: **Aye –** 6   **Nay –** 0   **Absent –** 0

ATTEST:

KELLI BRZA, VILLAGE CLERK

APPROVED this 11th day of December 2023.
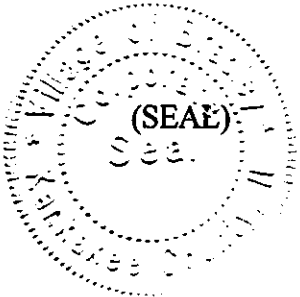
MICHAEL WATSON, VILLAGE PRESIDENT

STATE OF ILLINOIS   )

)   §§

COUNTY OF KANKAKEE)

      I, Kelli Brza, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number **O-12-23-05**, "AN ORDINANCE REGARDING THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT FOR THE VILLAGE OF BRADLEY," which was adopted by the Village Corporate Authorities at a meeting held on the 11th day of December 2023.

      IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee, and State of Illinois, on this 11th day of December 2023.

KELLI BRZA, VILLAGE CLERK

(SEAL)