

**ORDINANCE NO. 2023- 20**

**AN ORDINANCE OF THE VILLAGE OF PECATONICA, ILLINOIS REGARDING  
THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT**

WHEREAS, the Village of Pecatonica, Illinois (“Village”) has adopted a Code of Ordinances of the Village (the “Code”); and

WHEREAS, 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 proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and

WHEREAS, the Village of Pecatonica is a non-home rule Illinois municipality; and

WHEREAS, the Illinois General Assembly passed and the Governor of Illinois signed into law the Paid Leave for All Workers Act, 820 ILCS 192/1 *et seq.* (the “Act”); and

WHEREAS, effective January 1, 2024, the Act will apply to all Illinois employers, including municipalities, unless the employer is subject to an existing municipal or county ordinance that requires the municipality, as an employer, to provide any form of paid leave to their employees or unless a specific exemption applies; 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, the Village finds it is in the public interest to clearly define the minimum requirements regarding paid leave which apply to the Village; and

WHEREAS, the Village desires to continue to adhere to their existing paid leave policies for its employees as outlined by a collective bargaining agreements or outlined in the Village’s Employee Handbook or otherwise; and

WHEREAS, the Village Board finds that adopting the existing paid leave policies by ordinance is in the best interest of the Village and its citizens.

NOW, THEREFORE, be it ordained by the Village President and Village Board of the Village of Pecatonica, Illinois as follows:

1. The foregoing recitals are incorporated herein and made a part hereof as findings of fact as if said recitals were fully set forth herein.
2. Pursuant to Section 15(p) of the Act, the Village of Pecatonica adopts its current paid leave policy for all Village employees as set forth in the Village’s Code of

Ordinances, Employee Handbook, and any collective bargaining agreements to which the Village is a party and all other binding legislative actions governing paid leave adopted by the Village Board of the Village of Pecatonica 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) hour for every forty (40) hours worked.

3. If any provision of this Ordinance or application thereof to any person or circumstances 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.
4. All other ordinances, resolutions, and policies, or parts thereof, of the Village shall remain in effect as previously enacted except that those ordinances, resolutions and policies or parts thereof, in conflict are hereby repealed to the extent of such conflict.
5. The Village 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.

PASSED UPON MOTION BY Trustee Determan

SECONDED BY Trustee Howard

BY ROLL CALL VOTE THIS 19<sup>th</sup> DAY OF \_December, 2023

AS FOLLOWS:

VOTING

“AYE”:                5    

VOTTING

“NAY”:                0

ABSENT, ABSTAIN, OTHER

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APPROVED December 19, 2023

ATTEST:

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CLERK

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VILLAGE PRESIDENT