

KNOW



CHICAGO'S PAID SICK LEAVE ORDINANCE

To Whom Does the Paid Sick Leave Ordinance Apply?

The ordinance goes into effect July 1, 2017. The ordinance applies to employers that maintain a business facility within the City of Chicago and/or are required to obtain a business license to operate in the City. Employees of an employer that is subject to the Ordinance who work at least 80 hours within any 120-day period qualify. This includes domestic employees, day laborers, tipped workers, and home health care workers.

How is Paid Sick Leave Calculated?

- Paid sick leave begins to accrue either on the 1st calendar day after the start of employment or on July 1, 2017, whichever is later.
- For every 40 hours worked, an employee earns one hour of paid sick leave in full hour increments.
- Salaried employees who are exempt from overtime requirements shall accrue one hour of Paid Sick Leave for each week of employment.
- Paid sick leave hours are capped at 40 hours per 12-month period unless the employer sets a higher limit.
- At the end of a 12-month accrual period, employees must be allowed to carry over up to half of unused paid sick leave (a maximum of 20 hours) unless the employer sets a higher limit.
- If subject to Family and Medical Leave Act (FMLA), each employee must be allowed to carry over up to 40 hours of unused paid sick leave, in addition to half of all unused paid sick time, to use exclusively for FMLA-eligible purposes.

What are Employee Rights Under the Ordinance?

Employees may use paid sick leave when:

- They are ill or injured, or to receive medical care, treatment, diagnosis or preventative medical care;
- A family member is ill or injured, or to care for a family member receiving medical care, treatment, diagnosis or preventative medical care;
- They or a family member are victims of domestic violence or sex offense; or
- Their place of business is closed by order of a public official due to public health emergency, or they have a child who needs care because their school or place of care is closed due to a public health emergency.
- Employees who believe they have not received paid sick leave may call 311 to report a violation of the Ordinance to the City of Chicago.
- A complaint affidavit must be fully completed and returned to BACP to initiate an investigation.
- Employees are not required to provide, and the City will not request, information regarding the immigration status of any person filing a complaint.
- BACP does not act as the employee's private attorney. Any employee has the right to file a private civil action against the employer in circuit court if the employer violated the provisions of the Ordinance.

For more information on the City's Paid Sick Leave Ordinance, visit: www.cityofchicago.org/BACP

