THE VILLAGE OF ROBBINS

COOK COUNTY, ILLINOIS

ORDINANCE

No. _____12-12-23 A_____

AN ORDINANCE REGARDING THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT

DARREN E. BRYANT, MAYOR

SHARON S. DYSON, VILLAGE CLERK

DAVID R. DYSON

THOMAS HARPER, JR.

TIFFANY S. ROBINSON

GREGORY N. JACKSON

MICHAEL D. COLLIER, SR.

ERNEST MAXEY, JR.

Board of Trustees

PASSED AND APPROVED BY THE MAYOR AND BOARD OF TRUSTEES

THIS ____12th_____ DAY OF ___December_____, 2023

ORDINANCE NO. ___12-12-23 A_____

AN ORDINANCE REGARDING THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT

WHEREAS, the Village of Robbins (the "Village") is a home rule unit of government pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; 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, 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, the Act does not include any express limitation on the Village's home rule authority as required by Article VII, Section 6 of the Illinois Constitution; 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 an undue financial and operational 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 the Village to clearly define the paid leave benefits Village employees shall receive and to opt out of the Act.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Robbins, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1: That the above recitals are incorporated herein and made a part hereof, as set forth in their entirety.

Section 2: The purpose of this Ordinance is to authorize the Mayor or his designee to exempt the Village from the Act as set forth in the preamble and to further authorize the Mayor or his designee to take all steps necessary in accordance with this Ordinance and to ratify any steps taken to effectuate those goals.

Section 3: This Ordinance is adopted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 4: All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Section 5: The Village hereby adopts its current paid leave policy for all Village employees as set forth in the Village's Code of Ordinances, Employee Handbook, any collective bargaining agreements to which the Village is a party and all other binding legislative actions governing paid leave adopted by the Mayor and Board of Trustees 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 6: Pursuant to the Village's home rule authority, the Village hereby declares that the Village, as an employer, is exempt from the requirements of the Paid Leave for All Workers Act (820 ILCS 192/1 *et seq.*). The Village, as an employer, shall have no additional obligations with regard to mandatory paid leave, including,

without limitation, any obligations provided under the Act, except those obligations required by federal and/or state law which validly preempt the Village's home rule authority.

Section 7: The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out and give effect to the intent of this Ordinance and shall take all actions necessary in conformity therewith.

Section 8: The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, sub-paragraph, section or part shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section or part thereof been included.

Section 9: All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 10: This ordinance shall be in full force and effect on ___December 12, 2023 after its publication in pamphlet form.

ADOPTED this __12th_____ day of ____December_____, 2023, pursuant to a roll call vote as follows:

	AYES	NAYS	ABSENT	ABSTAIN
David R. Dyson	X			
Tiffany S. Robinson	X			
Gregory N. Jackson	X			
Michael Collier, Sr.	X			
Ernest Maxey, Jr.	X			
Thomas Harper, Jr.	X			
Mayor Darren E. Bryant				
Total	6	0	0	0

PASSED AND APPROVED on this ___12TH_____ day of __December____, 2023.

Darren E. Bryant

Darren E. Bryant, Mayor

Sign Here

ATTEST:

Sharon S. Dyson

Sharon S. Dyson, Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Sharon Dyson, Village Clerk of the Village Robbins, in the County of Cook and State of Illinois, certify that the attached document is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

Ordinance No. __12-12-23 A_____

AN ORDINANCE REGARDING THE ILLINOIS PAID LEAVE FOR ALL WORKERS ACT

which Ordinance was passed by a roll call vote of the Board of Trustees of the Village of Robbins, Illinois at their Regular Village Board Meeting on the _12th____ day of __December__, 2023, at which meeting a quorum was present, and approved by the Mayor of the Village of Robbins on the _____12th day of ___December___, 2023.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Robbins was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Robbins, and that the result of said vote was as follows, to-wit:

AYES:_____6_____

NAYS:_____0_____

ABSENT:_____0_____

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Robbins, this _12th__ day of ___December____, 2023.

Sharon S. Dyson
Sharon S. Dyson, Village Clerk

[SEAL]