

\*Please Note: Many cities/towns/municipalities in Cook County, Illinois have opted-out of the sick pay ordinance. If you are working on an assignment in an eligible city/town/municipality your sick time will accrue automatically.

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## COOK COUNTY EARNED SICK LEAVE ORDINANCE

NOTICE TO EMPLOYEES • EFFECTIVE JULY 1, 2017

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In most cases, you are covered by the Cook County Earned Sick Leave Ordinance if:

- You have worked for your employer in Cook County for at least 2 hours in any two-week period, and
- Your assignment is in a place of business in Cook County that has not lawfully preempted the ordinance.

You are entitled to:

- Earn **one hour** of earned sick leave **for every 40 hours worked** for your employer in Cook County;
- You may **use earned sick leave when you or a family member are ill**, receiving medical care, or the victim of domestic violence or stalking, or a public health emergency closes work, school or daycare;
- You **must be paid for used sick leave** at your usual rate of pay, no later than the next payroll period;
- **Maximum accrual and use** of earned sick leave generally is **40 hours per year**;
- If you do not use all the earned sick leave you earn in a given year, generally you are entitled to **carry over half** of those **unused hours** to use in the following year (up to a maximum carryover of 20 hours);
- And you may be entitled to **additional benefits** under the Ordinance **if your employer is covered by the federal Family Medical Leave Act (FMLA)** and you are eligible for FMLA leave.

Your employer is prohibited from:

- Retaliating against you for exercising Ordinance rights (*e.g.*, using earned sick leave, filing a claim); or
- Requiring you to search for or find a replacement to cover your work hours while you are on leave.

Your employer is allowed to:

- Require the **minimum increments of time at 4 hours** in which earned sick leave can be used; **48 hours written notice is required** for reasonably foreseeable absences; the **minimum duration of employment** before initial use of earned sick leave **is 180 days**.

If you believe your employer may have violated this Ordinance:

- The Commission encourages (but does not require) you to **discuss your concerns with your employer**. Employers may use different terminology to describe employee benefits or may have adopted an approved alternative practice to comply with the Ordinance. The Commission's website and Earned Sick Leave Rules are resources for helping you and your employer understand what the Ordinance requires.
- If you cannot talk to your employer because of fear of retaliation or you remain unsatisfied with your employer's explanation of your benefits, **contact the Commission for assistance**.
- If you wish to **file a complaint with the Commission** because your employer has violated the Ordinance, you must generally do so **within 3 years** of the violation. Complaints can also be filed directly in the Circuit Court of Cook County without filing at the Commission first.
- The Commission is available to assist (or receive complaints), Monday – Friday (excluding County holidays) from 9 a.m. – 4 p.m., or by appointment outside of these hours. You may contact the Commission by email, telephone or in person.

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### COOK COUNTY COMMISSION ON HUMAN RIGHTS

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