

ORDINANCE 1072

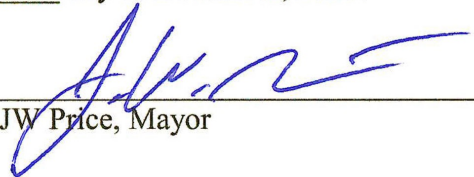
AN ORDINANCE AMENDING THE PERSONNEL CODE OF THE CITY OF EL PASO AND SPECIFICALLY §75-11.3 LEAVES OF ABSENCE (A.) PERSONAL LEAVE

BE IT ORDAINED by the City Council of the City of El Paso, Woodford and McLean Counties, Illinois, by and through its statutory powers as follows:

SECTION ONE: The Personnel Code of the City of El Paso is hereby amended by deleting §75-11.3 Leaves of Absence (A.) Personal Leave in its entirety, and inserting in place thereof the attached Exhibit A.

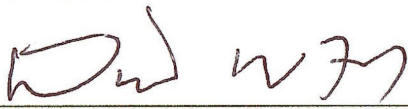
SECTION TWO: This Ordinance shall take effect upon its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED this 18th day of December, 2023.



JW Price, Mayor

ATTEST:



David W. Fever, City Clerk

PASSED by the City Council on the 18th day of December, 2023.
APPROVED by the Mayor on the 18th day of December, 2023.
PUBLISHED in pamphlet form on the 19th day of December, 2023.



David W. Fever, City Clerk

EXHIBIT A

11-3. LEAVES OF ABSENCE

11-3. A. Personal Leave

Personal Leave Earning Schedule – Full Time Employee's

	<u>Hours Per Year</u>	<u>Days Per Year</u>
After 3 months (90 days)	40 hours	5 Days
After 2 Years	80 hours	10 Days

Any personal days in excess of fifteen (15) at the end of each calendar year shall be paid to the employee at the employee's then current straight time (for non-exempt employees) hourly rate.

To meet the requirements of the Illinois Paid Leave for All Workers Act (PLFAW) the following will apply to all full-time workers starting January 1st, 2024.

To use a personal day an employee is required to provide notice as soon as practicable after he/she is aware of the necessity for leave, but no later than one (1) hour prior to the scheduled start of their workday. All notification needs should be submitted in writing, or by telephone call to the employee's supervisor, texting is not permitted.

Personal time shall be used in increments of one (1) hour or greater. For exempt employees, use of personal leave is recorded only if the employee is absent for at least one-half (4 hours) of one (8 hour) day. If an exempt employee is absent or leaves for a period of less than four (4) hours, no personal leave time shall be recorded. If an exempt employee is absent for a period of more than four (4) hours but less than eight (8) hours, then four (4) hours of personal leave shall be recorded.

To use a personal day employee will not have to do the following:

- Employees are not required to provide a reason for the leave.
- Employees are not required to find a replacement worker.
- Employees cannot be required to provide documentation/certification as proof of need.

The city can deny personal leave request due to operational necessity and for services that deal with health, safety, or welfare of people. Some departments provide 24-hour services, and during emergency situations (such as storms). In these types of situations, the city will attempt to grant some personal time off, but in some cases may not be able to grant multiple requests. An example would be a winter storm where services provided are for the safety and welfare of people. Another example would police department that has to provide 24-hour service and every police officer cannot be granted the same period of time off.

Unless exempted by PFLAW, employees who are unable to report to work due to illness or injury should notify their direct supervisor as soon as practicable under the circumstances, but no later than one (1) hour prior to the scheduled start of their workday. Whenever you call in to report an absence for an illness or injury, and provide at least the following information:

- The specific reason for your absence, with sufficient information to allow the City to determine whether your absence may qualify as FMLA or other legally protected leave.
- When your leave will begin and, if known, when you expect to return to work, including specific dates and times of absences, if known.
- A telephone number where you may be reached for further information.

Personal leave benefits under this policy will be calculated based on the employee's straight time (non-exempt employees) hourly pay rate at the time of the approved absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. Personal leave time off shall be counted as hours worked for purposes of calculating service time under the City's vacation earning schedule but shall not count toward calculating hours worked for purposes of determining overtime.

For FMLA compliance purposes, all directors, managers, and supervisors must notify the Director of Public Service of any employee illness, condition, or absence exceeding three (3) consecutive days and for all absences due to an intermittent or serious recurring condition. The Director of Public Service may request a doctor's authorization at any time before an employee may return to work for all medical related absences exceeding three (3) consecutive days.

Upon separation of employment, any Personal Leave Time accrued will be paid to the employee.

Personal Leave-Part Time/Seasonal Employees

Under the Paid Leave for All Workers Act (PLFAW), as of January 1, 2024, all part time/seasonal employees will receive 1 hour of paid leave time for every 40 hours worked during the 12-month period from January 1 to December 31 to a maximum of 40 hours.

Employees will be allowed to carryover any unpaid leave into the next calendar year for up to 5 days.

Employees can begin to use accrued leave 90 days following their 1st day of employment or 90 days following January 1, 2024, whichever is later.

Unused paid leave time will not be paid out to the employee under PLFAW Act upon the employees' termination, resignation, retirement or other separation from employment or at the end of a designated 12-month period. If an employee is rehired within 12 months of separation, then the employees earned paid leave time under PLFAW Act will be reinstated.