

RESOLUTION NO. _____

A RESOLUTION AMENDING SECTION 3.11 (BENEFIT ELIGIBILITY) AND SECTION 8.2 (VACATION) OF THE CITY OF CREST HILL EMPLOYEE HANDBOOK

WHEREAS, the City Council of Crest Hill, Will County, Illinois, has the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare; and

WHEREAS, in 2018 the City Council of Crest Hill, Will County, Illinois adopted a Crest Hill Employee Handbook which applies to the City's non-union and exempt employees, and which is administered and periodically reviewed by the City's Employee Relations Manager under the direction of the City Treasurer; and

WHEREAS, Section 1.1(b) of the Crest Hill Employee Handbook provides for additions, deletions, suspension, or discontinuation of the Handbook Policies as may be necessary through changes in legislation, business, or economic conditions; and

WHEREAS, Section 1.6 of the Crest Hill Employee Handbook provides specifically for amendment and updating of its provisions through regular review by the City's Employee Relations Manager with substantive changes being brought to the City Council for approval; and

WHEREAS, in 2023 the Illinois Legislature passed the Paid Leave For All Workers Act (820 ILCS 192/1 *et seq.*) (the "Act"), which was thereafter signed into law by Governor J. B. Pritzker; 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, 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 City recognizes the importance of paid leave and currently provides reasonable paid leave benefits to its employees pursuant to negotiated collective bargaining agreements and its Ordinances and Employee Handbook, specifically Section 8 of the Handbook; and

WHEREAS, the City has determined that applying the Act to its own employees will negatively impact the City and place an undue financial and operation burden on the City's ability to provide uninterrupted services to its residents; and

WHEREAS, the City believes and hereby declares that it is in the best interests of the City to clearly define paid leave benefits that City employees shall receive; and

WHEREAS, pursuant to Section 15(p) of the Act, the City has by Ordinance adopted its current paid leave policies for all City employees as set forth in the City's Code of Ordinances, Employee Handbook, Annual Salary Ordinances, any collective bargaining agreements to which

the City is a party, and all other binding legislative actions governing paid leave adopted by the City Council as the same may be amended from time to time but requires the City, as an employer, to provide at least one (1) day of paid leave per year to any City employee; and

WHEREAS, the City Council has determined that it desires to amend the Crest Hill Employee Handbook to provide some form of paid leave to part-time and seasonal employees by amending Sections 3.11 and 8.2 of the Employee Handbook to provide one (1) day of paid leave to all part-time and seasonal employees in accordance with the aforementioned Ordinance and Section 15(p) of the Act, and that such an amendment of the Employee Handbook is fair and equitable.

NOW THEREFORE, BE IT RESOLVED by the City Council of Crest Hill, Will County, Illinois, pursuant to its statutory authority, as follows:

SECTION 1: That the City Council hereby finds that all the recitals contained in the preamble to this Resolution are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2: That Section 3.11 (Benefit Eligibility) of the Crest Hill Employee Handbook shall be amended by repealing it and replacing it as follows:

3.11 BENEFIT ELIGIBILITY

Benefits are provided to regular full-time employees according to the guidelines set out in this handbook and pursuant to the individual plan documents, which shall be the controlling documents in case of any conflict in terms with this handbook. Part-time, temporary, and seasonal employees are entitled only to those benefits as provided herein or otherwise required by law.

SECTION 3: That Section 8.2 (Vacation) of the Crest Hill Employee Handbook shall be amended by repealing and replacing it as follows:

8.2 VACATION AND PAID TIME OFF

The City provides employees with paid time off as an opportunity for rest, relaxation and recreation. The City believes that each employee should have time off from work each year and should be given maximum flexibility in scheduling vacation time, with consideration to the City's business needs.

Vacation is allocated on January 1 each year and the amount of time employees receive each year increases with the length of their employment as shown below. Supervisors start with fifteen (15) days and continue to accrue after six years of service. Days shall be prorated for the first year in which the employee is employed with the City.

Years of Service

Vacation

After one year of service

Ten (10) Days

After five years of service

Fifteen (15) Days

After six years of service	Sixteen (16) Days
After seven years of service	Seventeen (17) Days
After eight years of service	Eighteen (18) Days
After nine years of service	Nineteen (19) Days
After 10 years of service	Twenty (20) Days
After 15 years of service and thereafter	Twenty-five (25) Days
Part-time and seasonal employees	One (1) day

All vacation and paid time off shall be scheduled with approval and consent of the Department Head. Scheduling preference shall be given to employees on a seniority basis.

All earned vacation and paid time off not used by the employee by the end of the calendar year shall be forfeited unless special dispensation is granted by the City Administrator. Vacation time is paid at the employee's base pay rate at the time of vacation and does not include overtime or any other special forms of compensation. In the event a holiday occurs during an employee's scheduled vacation period, time for such holiday shall not be charged as vacation time. Vacation allowance is not permitted to be paid in lieu of time off.

The City reserves the right to restrict the dates on which an employee may take vacation based on the City's and/or specific departments' needs. These may be known as "blackout periods" and will be established by the Personnel Officer and by the Department Head. Vacation is granted at the convenience of the City, but in all cases the City and its management will attempt to accommodate the needs of the employee. Employees are encouraged to schedule vacation so as not to be put in a position to forfeit vacation due to business restrictions or last minute business needs.

Upon termination of employment, the employee shall be paid for unused earned vacation time for that year.

SECTION 4. In the event that any provision or provisions, portion or portions, or clause or clauses of this Resolution shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Resolution that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 5. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Resolution, are hereby repealed to the extent of the conflict.

SECTION 6. That the City Clerk is hereby directed to publish this Resolution in pamphlet form.

SECTION 7. That this Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 4TH DAY OF DECEMBER, 2023.

	Aye	Nay	Absent	Abstain
Alderman John Vershay	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderpersion Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 4TH DAY OF DECEMBER, 2023.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk