
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION APPROVING AN AMENDMENT TO THE
PERSONNEL MANUAL RELATED TO THE PAID LEAVE FOR ALL WORKERS ACT**

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City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, previously the City has adopted a policies and procedures manual for employees and elected officials (“Personnel Policies Manual”) setting forth the policies and procedures in current force and effect for City employees and elected officials; and

WHEREAS, by its nature, the Personnel Policies Manual, otherwise referred to as the Employee Handbook is in constant need of review and revision to be consistent with all applicable laws and best practices; and

WHEREAS, effective January 1, 2024 the Paid Leave for All Workers Act (“PLAWA”) pursuant to Public Act (P.A.) 102-1143, mandates the accrual of paid time off for all workers in the state of Illinois, as well as sets forth certain requirements as to how the paid time off may be used; and

WHEREAS, the City staff and legal counsel have identified a need to amend the Personnel Policies Manual and specifically Chapter 3: Leave; Section 4, Article D, Sick Leave and Personal Leave, in order to comply with the PLAWA; and

NOW, THEREFORE, be it Resolved by the corporate authorities of the City of Rochelle the following:

SECTION ONE: The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Resolution as if fully set forth in this Section One.

SECTION TWO: The City hereby amends Chapter 3: Leave; Section 4, Article D, Sick Leave and Personal Leave, as set forth in Exhibit 1 attached hereto, subject to final review and revisions by the City Attorney.

SECTION THREE: All prior Ordinances, Resolutions and Personnel Policies in conflict or inconsistent herewith are hereby expressly repealed but only to the extent of such conflict or inconsistency.

SECTION FOUR: 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 22nd day of January, 2024.

AYES:

NAYS:

ABSENT:

APPROVED THIS 22nd day of January, 2024.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT 1

Chapter 3: Leave; Section 4, Article D, Sick Leave and Personal Leave

PERSONAL LEAVE: (Update 1/1/2024)

The first 40 (forty) hours of Personal Leave bank shall be deemed “Paid Leave for All Workers Act” (PLAWA) pursuant to Public Act (P.A.) 102-1143. Personal leave will be paid at the regular rate of pay. Personal days may be taken only in such a manner, as it will not disrupt City operations.

Personal days are available for employees to be absent from work. Employees are required to give advance notice of seven days of any such need, or as soon as possible for unforeseeable need. Documentation or reason for use will not be required.

The personal leave accrual is based on a calendar year and is front loaded each year with the first full pay period after Jan 1, but available to use Jan 1. The leave accruals will be based on the following groups: 1) Non-Union full-time, 2) Non-union part-time, 3) Seasonal, and 4) POC’s. Each group will receive the leave bank as follows: Group 1: Non-Union full-time, 40 hours of accrued time will be available after Jan 1 of each year. Group 2: Non-Union part-time, a prorated amount of 40 hours, based on percent of time, which is calculated by number of scheduled work hours for calendar year, will be available after January 1 of each year. Group 3: Seasonal, a prorated amount of 40 hours, based on (%) percent of time category, will be available after January 1 of each year. Group 4: POC’s, a prorated amount of 40 hours, based on (%) percent of time category, will be available after January 1 of each year. Those employees covered by a collective bargaining agreement will be covered by their respective agreement.

New employees in each Group will receive accrual upon hire and will be available to use after the first 90 days of employment.

Employees may request use of personal leave designated as “PLAWA”, with a seven-day advance notice, or as soon as possible for unforeseeable need. The request must be in a written form of communication and submitted to their supervisor or designee. Documentation or reason for use will not be required. When the leave request is designated “PLAWA” it may not be changed or altered to vacation, sick or comp leave after the use. The first 40 hours of personal leave requested will be deemed “PLAWA”. Use of personal leave shall be taken in no less than 2-hour increments. Any personal leave granted not used within the calendar year period will not carryover and is forfeited.

Any personal leave hours in excess of the 40 hours designated as “PLAWA” do not carry over to next calendar year, accumulate, receive pay out or paid out upon termination, they are intended to be used in the calendar year in which they are received.

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Hueramo, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. _____, “A RESOLUTION APPROVING AN AMENDMENT TO THE PERSONNEL MANUAL RELATED TO THE PAID LEAVE FOR ALL WORKERS ACT” which was adopted by the Mayor and City Council of the City of Rochelle on January 22, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 22nd day of January, 2024.

CITY CLERK