

OFFICIAL PROCEEDINGS
WASHINGTON COUNTY SPECIAL BOARD MEETING

December 22, 2023

The reconvened and adjourned meeting of the County Board of Washington County, Illinois was held at the Washington County Courthouse Nashville, Illinois on Friday, December 22, 2023 for the purpose of transacting county business that might come before the Board.

Present and presiding were Chairman David Meyer and Shari Hempen, County Clerk and Clerk of the Board.

Others present were Dan Janowski-State's Attorney, John Felchli-Ambulance Administrator and Andrea Renken- Circuit Clerk

Following the Lord's Prayer and the Pledge of Allegiance, Chairman Meyer called the Special meeting of the Washington County Board to order at 9:07 a.m.

Roll Call was taken by Clerk Hempen with 11 members present and 4 absent. Those present were Brammeier, Hohlt, Muentner, Karg, Shemonic, Suedmeyer, Unverfehrt, Meyer, Klingenberg, Bronke and Shemonic absent were Todd, Bening, Small and Lamczyk

The reason that a special County Board meeting was called was that effective, January 1, 2024, the Illinois Paid Leave for all Workers Act goes into effect. This act guarantees all employees a minimum of 40 hours leave. The County needs to have an ordinance on file for the PLAWA by January 1, 2024.

The personnel committee brought before the board Option #2 (**See Exhibit A**) (**Ord. 2023-19**). Option #2 will give the hours upfront, for full time and part time hours are based on the estimated hours they will be working each week. This will be for any county employee (s) not covered by the IBEW or FOP union contracts. Chief Deputy in County Clerk's office, Circuit Clerk's employees, Health Department employees and any new employees hired after January 1, 2024 that are not covered by the union contracts.

The employee handbook will have to be updated with the PLAWA ordinance to bring us in conformance with the law. We can do tweaking with the ordinance if we need to.

Employees covered under the Paid Leave act will have PTO time not vacation. Sick time will not be converted into paid leave because of IMRF. There is a 90-day waiting period from time of employment for new hires who are covered under this act.

Any employee covered by a union is exempt from this ordinance they will follow the terms in their contracts. When the Collective Bargaining Agreements are renegotiated, the ordinance will be addressed then. Until then those employees will follow those agreements. It does not matter if the employee pays dues or not.

Klingenberg made a motion to accept the Illinois Paid Leave for All Workers Act Ordinance with changes that were discussed. Brammeier seconded the motion. Motion carried. Klingenberg asked for a roll call vote. Roll call vote was taken with 11 ayes and 4 absent.

Shemonic made a motion to approve the 2024 County Board meeting schedule (**See Exhibit B**) seconded by Hohlt. Motion carried.

Meyer asked for comments from the public.

A motion was made by Klingenberg and seconded by Hohlt to adjourn the meeting. Motion carried. The meeting of the Washington County Board adjourned at 10:12 am.

Shari Hempen

Washington County Clerk and Clerk of the Board

WASHINGTON COUNTY SPECIAL BOARD MEETING

Wednesday, December 27, 2023

9:00 A.M.

PRAYER AND PLEDGE
CALL TO ORDER
ROLL CALL
ACKNOWLEDMENT OF GUESTS

1. Illinois Paid Leave for All Workers Act Ordinance
2. Approve County Board Meeting Schedule for 2024

***** OPPORTUNITY FOR THE GENERAL PUBLIC TO ADDRESS THE BOARD *****

OPTION 2 – Give all PL upfront and convert all vacation to PL

*Ordinance
2023-19*

As used in this policy, “Employer” shall mean Washington County, Illinois.

This policy is designed to comply with Employer’s obligations under the Paid Leave for All Workers Act (hereinafter “PLAWA”) (820 ILCS 192/1 et seq.) In the event of any conflict between this policy and the law, the provisions of the law will govern.

In accordance with PLAWA, full-time employees are awarded forty (40) hours of PLAWA leave (hereinafter PL) at the start of the 12-month period. Part-time employees will be awarded a pro-rata amount of PL at the start of the 12-month period based on the number of hours they typically work in a workweek.

Full and part-time employees hired after the beginning of the 12-month period will be awarded a pro-rata amount of the PL calculated in the preceding paragraph based on the date of hire.

The 12-month period for purposes of calculating PL shall be the calendar year. Employees shall be permitted to use accrued PL beginning on March 30, 2024, or ninety (90) days after the commencement of their employment, whichever is later.

Employer requires employees to provide seven (7) calendar days’ notice of the employee’s intent to take PL. If, however, the employee’s need to take PL is not foreseeable, the employee must provide notice as soon as is practicable after the employee is aware of the necessity of taking PL.

Employer may deny an employee’s request to use PL if granting leave would significantly impact business operations. The following is an illustrative (not exhaustive) list of reasons why requests to use PL may be denied:

- 1) Staffing would fall below minimum levels necessary to provide effective public service;
- 2) Emergency circumstances exist requiring employee attendance;
- 3) Employee absence would hamper Employer’s ability to meet critical workflow obligations or deadlines.

An employee is not required to search for or find a replacement worker to cover the hours during which the employee will be on PL. Employees may take PL in increments as small as two (2) hours unless the employee’s scheduled work

day is less than two (2) hours, in which case, the employee's scheduled work day shall be used to determine the amount of PL taken.

An employee may take PL for any reason of the employee's choosing. An employee is not required to provide Employer with a reason for taking PL. Employer will not require the employee to provide documentation or certification of the reason that PL was taken. An employee may choose whether to use PL under this policy prior to using any other leave provided by Employer or State law.

Employees shall be paid their regular hourly rate of pay for PL.

At the end of a 12-month period, an employee may carry over accrued, unused PL into the next 12-month period. Employees may not carry over more than 80 hours of unused PL. An employee, however, may not use more than 40 hours of accrued PL in a 12-month period.

Employer does not credit PL under this policy to any other employee vacation bank or paid time off (PTO) bank. As a result, in accordance with PLAWA, Employer does NOT compensate employees for accrued, unused PL upon termination or separation from employment.

Employer shall maintain coverage for the employee and the employee's covered family members under any group health plan for the duration of PL at no less than the level and conditions of coverage that would have been provided if the employee had not taken PL.

Nothing in this policy shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with Employer through representatives of their own choosing in order to establish wages or other conditions of work in excess of the applicable minimum standards established under this policy.

For employees whose paid leave benefits are set forth in an existing collective bargaining agreement in effect prior to January 1, 2024, the leave provisions of the collective bargaining agreement shall control over conflicting provisions in this policy.

For any collective bargaining agreement entered into on or after January 1, 2024, if the collective bargaining agreement explicitly waives the requirements of PLAWA in clear and unambiguous terms, then the provisions of this policy will not apply to employees subject to such collective bargaining agreement.

If an employee is transferred to a separate division, entity, or location, but remains employed by Employer, the employee is entitled to all PL accrued at the prior division, entity, or location and is entitled to use all PL in accordance with this policy.

If an employee is separated from employment with Employer, and is rehired within twelve (12) months of separation from Employer, previously accrued PL that had not been used by the employee shall be reinstated, and the employee shall be entitled to use it at the commencement of reemployment.

In accordance with PLAWA, Employer has posted the Department of Labor notice regarding PLAWA.

Employer will not retaliate against any employee because the employee (1) exercises rights or attempts to exercise rights under PLAWA, (2) opposes practices which the employee believes to be in violation of PLAWA, or (3) supports the exercise of rights of another person under PLAWA.

Employer will not consider the use of PL by an employee as a negative factor in any employment action that involves evaluating, promoting, disciplining, or counting paid leave under a no-fault attendance policy.

Employees may earn additional PL based on the length of service to the Employer in the following total amount available to the employee on January 1 of the same year the below years of service are complete:

<u>Years of Employment</u>	<u>Earned PL per year</u>
Up to 3 full years	40 hours
3 full years	80 hours
8 full years	120 hours
20 years	160 hours

This policy becomes effective January 1, 2024, and supersedes any conflicting language contained in the Washington County Employee Policy Manual last revised September 2022. The Employer will work to update the Washington County Employee Policy Manual to reflect the changes in this policy.