

ORDINANCE NO. 24-10

AN ORDINANCE AMENDING TITLE 4 BUSINESS AND LICENSE REGULATIONS BY ADDING CHAPTER 12 OF THE MUNICIPAL CODE OF THE VILLAGE OF HODGKINS, ILLONIS OPTING OUT OF COOK COUNTY PAID LEAVE ORDINANCE

WHEREAS, on December 14, 2023, the County of Cook Board of Commissioners adopted an ordinance amending Cook County’s sick leave ordinance and requiring employers located within the incorporated and unincorporated areas of Cook County to provide for the availability, accrual and use of paid leave by employees (“Cook County Paid Leave Ordinance”)

WHEREAS, the Village Board of the Village of Hodgkins finds that the Cook County Paid Leave Ordinance will have adverse economic consequences and unduly burden employers within the Village of Hodgkins; and

WHEREAS, the Village Board of the Village of Hodgkins hereby finds and declares it to be in its best interests to supersede and preempt the Cook County Leave Ordinance.

NOW THEREFORE, BE IT ORDAINED, by the Village Board of the Village of Hodgkins Cook County, Illinois, as follows:

Section 1

The recitals set forth above are incorporated herein by reference the same as if they were set forth herein verbatim and they are adopted as the findings of the City Council.

Section 2

Title 4 Business and License Regulations Chapter 12 of the Municipal code of the Village of Hodgkins, Illinois, be amended to read as follows:

Sec. 12-001 Definitions.

For the purpose of this article the following definitions shall apply unless the context

clearly indicates or requires a different meaning: paid leave, including, without limitation,

Employee means any individual person permitted and/or hired to work by and employer regardless of the number of hours worked and the number of persons the employer employs.

Employer means any individual, partnership, association, firm, corporation, limited liability company, business trust, unit local government, school district, park district, or any person or group of persons employing or seeking to employ one (1) or more employees in, or having its principal place of business in, the Village. The term employer does not mean or include: (i) the government of the United States or a corporation wholly owned by the government of the United States; (ii) an Indian tribe or a corporation wholly owned by an Indian tribe; or (iii) the government of the State of any agency or department thereof. Federal and State Law means any and all applicable statutes and/or regulations of the United States and the State of Illinois, as amended from time to time.

Sec. 12-002 Wage and paid leave laws.

- (a) Employers shall comply with a Federal and State Law governing the rate, eligibility, applicability, accrual, use or payment of/for paid leave and minimum wage.
- (b) No Employers shall have, or be obligated to adhere to, any additional or greater obligations with respect to paid leave or minimum wage than as required or established by Federal and State Law.
- (c) Any additional obligation with respect to paid leave or minimum wages imposed by law (including Cook County Ordinances). Other than Federal and State Law, upon any employer is hereby declared to be, and shall be deemed to be, in conflict with this section, and superseded and preempted hereby, and shall have no force, effect, or applicability to such employer.
- (d) Nothing in this section shall be deemed or interpreted as affecting or preventing an employer from imposing upon itself any additional or greater obligation with respect to paid leave or minimum wage voluntarily or by contract,

Section 3

This ordinance does not conflict with Ordinance No. 23-07 and in any way affects, amends, or modifies Ordinance No, 23-07, which was adopted by the Village Board on November 13, 2023. Ordinance No. 23-07-23 remains in full force and effect and also preempts and supersedes the Cook County Ordinance as it relates to the Village's leave policies for its own employees.

Section 4

All Statutes of the State of Illinois or any parts thereof which are in conflict with the provisions of this ordinance are hereby superseded by this ordinance enacted under the home rule power of the Village of Hodgkins.

Section 5

All ordinances or parts of the ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith.

Section 6

This ordinance shall be in full force and effect after passage and approval. This ordinance is authorized to be published in pamphlet form.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Hodgkins this 9th day of September, 2024.

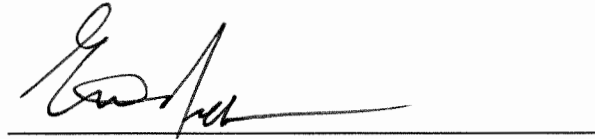
AYES: 6

ABSTAIN: 0

NAYES: 0

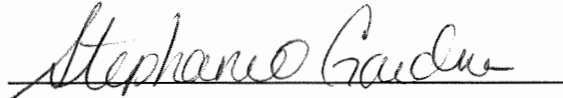
ABSENT: 0

APPROVED by me this 9th day of September 2024.



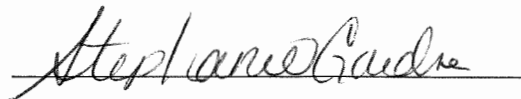
Ernest Millsap
Village President

ATTEST:



Stephanie Gardner
Village Clerk

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet for by authority of the Village of Hodgkins, in accordance with law, this 9th day of September, 2024.



Stephanie Gardner
Village Clerk