



# FREQUENTLY ASKED QUESTIONS

## REGARDING PAID LEAVE

### **ILLINOIS – Paid Leave for All Workers Act. (PLAWA)**

#### **▪ What is this?**

- Illinois' sick leave Act, PLAWA begins January 1, 2024. This new Act provides paid time off for any reason.

#### **▪ What makes you eligible as an Employer?**

- The Paid Leave for All Workers Act applies to all Illinois employers.

#### **▪ Does the Act apply to part-time employees, or just full-time employees?**

- The act doesn't distinguish between part-time, full-time, or seasonal employees. Both full-time and part-time employees are covered by this Act. Employees who work fewer hours may accrue less leave time compared to full-time employees.

#### **▪ What can employees use this time for?**

- Employees can use their earned paid leave for any reason without providing documentation.

#### **▪ How does an employee earn time?**

- The accrual rate is one hour of paid leave for every 40 hours worked. With a maximum of 40 hours accrued per year and can only use 40 hours in a year.

#### **▪ Does time carry from one year to the next?**

- Employees can carry over up to 40 hours from year to year, but the maximum they can have will remain 40 hours and they cannot earn over that or use over that in a year.

#### **▪ When does an employee start earning time?**

- Current employees as of 1/1/2024, start earning time as of that date. New employees start earning as of their date of hire.

#### **▪ When can an employee use leave time?**

- Active employees as of 1/1/2024 can use their earned time off beginning March 31, 2024, or 90 days following the date of hire.

- **Who pays for leave time when used?**
  - Employees who use leave time are paid through the Veterans budget, due to this being an expense of being an employer within the State of Illinois.
  - Employees will submit a timesheet to ARIS when claiming time, it is not the standard timesheet for hours worked. Allowing it to stand out when processing.
- **Are employees required to sign anything agreeing to hours they will earn?**
  - Yes, current employees will be mailed a confirmation of receipt regarding the paid leave accrual which will be stored with their employee documents at ARIS.
  - New employees will sign this form when completing the employee enrollment forms for ARIS.
- **How would an employee know how many hours they have of leave time?**
  - Earned leave time will be included in the pay stub the employee receives from ARIS.
  - Employees or employers may reach out to ARIS and ask for this information.
- **If an employee leaves employment or is terminated, do they receive pay for earned time?**
  - No, upon leaving employment an employee will not be paid for unused leave time.
- **What if an employee leaves and is rehired?**
  - If the employee is rehired within 12 months of separation by the same employer, any previously earned leave time that was not used is reinstated to the employee.
- **What hourly rate are employees paid when using leave time?**
  - Employees must be paid at their current hourly rate when using leave time.
- **Do Employers need anything posted?**
  - Yes, employers must post the "Your Rights Under Illinois Employment Laws" in a conspicuous place on site. (ARIS will mail this to all Illinois based employers, or they can be printed from [labor.illinois.gov/employers/posters.html](http://labor.illinois.gov/employers/posters.html))

▪ **Can employers deny leave?**

- Yes, but only in limited situations where denial is warranted because of “operational needs.” If employers chose to utilize this right, they must have a written policy that explains how leave requests are considered and why they may be denied (due to ARIS being the agent, we would not create this policy as it is an employer function).
- If employers decide to have a policy, they must send this to ARIS upon with enrollments forms, and clearly be signed off upon by employee and employer.
- If the employer then decides to deny leave for operational needs, it must provide a written explanation to the employee and send a copy to ARIS for the employment files.
  - All policies an employer has in place and denials of employee time must be sent to ARIS, because the Illinois Department of Labor can request such documentation.

▪ **Can an employer require an employee to find coverage during leave?**

- No, per 820 ILCS 192/15 Section 15- part H- #4



# PAID LEAVE FOR ALL WORKERS ACT NOTICE

Employers must provide employees with up to 40 hours of paid leave for any reason.

## Paid Leave

- **Workers:** Earn up to five (5) days per year of paid leave from work.
- **Use:** Workers can use paid leave for any reason of their choosing. Employers cannot require workers to provide a reason for their time off request. Employers may not require, as a condition of taking leave, that the employee search for a replacement worker.
- **Accrual:** Workers earn 1 hour of paid leave for every 40 hours they work.
- **Carryover:** Workers rollover all unused paid leave at the end of the year.
  - **Retaliation is prohibited:** Penalties may apply to employers that take adverse action against workers who exercise their rights under this law.



## Penalties

Workers may recover the amount they should have been paid for the leave, penalties, and other equitable relief.

## Filing a Complaint

A worker may file a complaint with the Illinois Department of Labor alleging a violation of this Act by filling out a complaint form at [labor.illinois.gov/paidleave](http://labor.illinois.gov/paidleave).

## Existing Policy and Exclusions

Certain exceptions may apply for employers who already provide their workers with paid leave. There are also certain categories of workers that are not covered by the law.

See QR code for more information on how to file a complaint and applicable exceptions to the law.



For a complete text of the laws, visit our website at:  
[www.labor.illinois.gov](http://www.labor.illinois.gov)

For more information or to file a Complaint, contact us at:  
[DOL.PaidLeave@illinois.gov](mailto:DOL.PaidLeave@illinois.gov)

**THIS NOTICE MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES OF THE EMPLOYER WHERE OTHER NOTICES ARE POSTED.**