

**CITY OF WEST CHICAGO**

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**ORDINANCE NO. 23-O-0044**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF  
WEST CHICAGO, APPENDIX C, ARTICLE VI, SECTIONS A, B, & C OF THE  
PERSONNEL RULES REGARDING PART-TIME EMPLOYEE PAID LEAVE**

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**ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF WEST CHICAGO  
December 4, 2023**

Published in pamphlet form by the authority of the City Council of the City of West Chicago,  
DuPage County, Illinois, on the 5<sup>th</sup> day of December, 2023.

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**WHEREAS**, the City of West Chicago (hereinafter referred to as the “City”) is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

**WHEREAS**, Article VII, Section 6, of the Constitution of the State of Illinois of 1970, provides that municipalities of more than twenty five thousand (25,000) in population are home rule units and, subject to the specific limitation of Illinois law, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the City is an Illinois home rule municipality; and

**WHEREAS**, the City possesses the authority, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, to adopt ordinances and pass resolutions pertaining to the public health, safety, welfare and government functions; and

**WHEREAS**, the City Council of the City (hereinafter referred to as the “City Council”) is the corporate authority for the City and is authorized by law to exercise all powers provided for thereby and to control the affairs of the City; and

**WHEREAS**, the City Council possesses full power and authority to approve and pass all necessary ordinances, resolutions, rules and regulations necessary for carrying into effect the objects for which the City was formed, in accordance with the Illinois Municipal Code; and

**WHEREAS**, the City Council has adopted a Personnel Manual regarding the Employees of the City, as set forth in Appendix C, Article VI, of the City’s Municipal Code; and

**WHEREAS**, on March 13, 2023 the *Paid Leave for All Workers Act*, (hereinafter the “Act”), was signed by the Governor and takes effect January 1, 2024; and

**WHEREAS**, the Act provides for employees to receive one (1) additional hour of Paid Leave for every forty (40) hours worked, up to forty (40) hours of Paid Leave per year; and

**WHEREAS**, the City Council opted out of and declared the City exempt from the *Paid Leave for All Workers Act*; and

**WHEREAS**, the City has reviewed the current Paid Leave provided to its part-time Employees and has determined that additional paid leave will allow the City to attract and retain qualified part-time Employees, without impacting City services or operations; and

**WHEREAS**, City Staff has reviewed the Personnel Policy relative to Paid Leave set forth in Appendix C, Article VI, Sections A, B, & C, for part-time Employees, and recommends that additional paid leave be provided, under specific circumstances, to part-time Employees; and

**WHEREAS**, the City Council finds it in the best interest of the City to amend the Personnel Policy to provide for additional paid leave for its part-time Employees in such a way, so as not to adversely impact City operations; and

**WHEREAS**, upon passage of this Ordinance, as provided for by law, Appendix C, Article VI, Sections A, B, & C, of the Code of Ordinances shall be amended as set forth below.

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of West Chicago, County of DuPage, Illinois, as follows:

Section 1. That the foregoing recitals are hereby incorporated herein as if set forth.

Section 2. That Appendix C, Article VI, Section 1, of the Personnel Policy of the City of West Chicago is hereby amended as follows:

**Sec. 2. –Holiday Pay.**

When a City designated holiday of a part-time employee, occurs on a regularly scheduled working day of a part-time employee, the part-time employee may use an accrued floating holiday or personal day in order to be paid for said holiday.

**Sec. 3. – Floating Holidays.**

In addition to the City Designated Holidays, as referenced above, full and part-time employees also shall receive up to three paid Floating Holidays, or as otherwise provided by a CBA, to be taken during the calendar year which the employee actually worked the full year (twelve completed months), subject to the following:

a. Newly hired Full and Part-time Employees earn Floating Holidays based on the number of completed full months worked in the Calendar Year.

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**Sec. 4. – Personal Days.**

Full and Part-time employees who are not covered by a CBA shall receive up to 40 hours of time off with straight time pay during each calendar year to be used as paid Personal Days.

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Section 3. This Ordinance and each of its terms shall be the effective legislative act of the home rule municipality, without regard to whether such Ordinance contains terms contrary to the provisions of the current or subsequent non-preemptive state law. It is the intent of the corporate authorities of the City that, to the extent that the terms of this Ordinance are inconsistent with any non-preemptive state law in that regard within its jurisdiction, that any parts of this ordinance not in conflict therewith remain valid and enforceable.

Section 4. All Ordinances, or any provisions of Ordinances in conflict with the provisions of this Ordinance, are hereby repealed insofar as they conflict herewith.

Section 5. Any provision of the Ordinance deemed invalid shall not invalidate the remaining provisions hereof and shall remain in full force and effect.

Section 6. This Ordinance shall be in full force and effect on December 29, 2023.

PASSED THIS 4<sup>th</sup> day of December, 2023.

Alderman D. Beebe	<u>Aye</u>	Alderman L. Chassee	<u>Absent</u>
Alderman J. Sheahan	<u>Aye</u>	Alderman H. Brown	<u>Abstain</u>
Alderman A. Hallett	<u>Aye</u>	Alderman C. Dettmann	<u>Aye</u>
Alderman M. Birch-Ferguson	<u>Aye</u>	Alderman S. Dimas	<u>Aye</u>
Alderman C. Swiatek	<u>Aye</u>	Alderman J. Smith	<u>Aye</u>
Alderman J. Short	<u>Aye</u>	Alderman R. Stout	<u>Aye</u>
Alderman J. Morano	<u>Absent</u>	Ward 7 Alderman	Vacant

APPROVED as to form:

Patrick K. Bond  
Patrick K. Bond, City Attorney

APPROVED this 4<sup>th</sup> day of December, 2023.

Rubén Pineda  
Ruben Pineda, Mayor

ATTEST:

Valeria Perez  
Valeria Perez, Executive Office Manager

PUBLISHED: 12-05-2023

STATE OF ILLINOIS       )  
COUNTY OF DU PAGE    )

## ***CERTIFICATE***

I, Valeria Perez, Certify that I am the Executive Office Manager of the City of West Chicago, DuPage County, Illinois.

I further certify that on December 4, 2023 the Corporate Authorities of such municipality passed and approved Ordinance No. 23-O-0044 entitled:

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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 23-O-0044 including the ordinance and a cover sheet hereof was prepared, and a copy of such ordinance posted in the municipal building, commencing on December 5, 2023 continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the Office of the City Administrator.

Dated at West Chicago, Illinois, this 4<sup>th</sup> of December, 2023.

SEAL



*Valeria Perez*

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Valeria Perez, Executive Office Manager