

ORDINANCE 2023 - 63

**AN ORDINANCE AMENDING ARTICLE IV ENTITLED "OFFICERS AND  
EMPLOYEES" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF  
ORDINANCES OF THE VILLAGE OF BROOKFIELD**

PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
THE 11<sup>TH</sup> DAY OF DECEMBER 2023

Published in pamphlet form by  
authority of the Corporate  
Authorities of Brookfield, Illinois,  
the 11<sup>th</sup> day of December 2023

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**WHEREAS**, on March 13, 2023, the Paid Leave for All Workers Act, 820 ILCS 192/1 *et seq.* (the “PLAWA”) was signed into law, effective January 1, 2024, mandating that nearly all Illinois employers provide covered employees up to 40 hours of paid leave per 12-month period;

**WHEREAS**, the PLAWA excludes certain governmental employers from the mandates of the PLAWA, including school districts and park districts, as well as certain private employers, but failed to exclude municipalities from the mandates of the PLAWA;

**WHEREAS**, in addition to the amount of paid leave required under the PLAWA, paid leave under this law may be taken by an employee for any reason of the employee’s choosing, or for no reason at all, and must be provided by the employer upon the employee’s request, which request may be provided to the employer without advance notice, if the leave is not foreseeable, as determined by the employee;

**WHEREAS**, the workforce of the Village of Brookfield provides essential and continuing governmental services, including police, fire and public works services, the operations of which could be severely disrupted by the application of the above-referenced impromptu leave mandated under the PLAWA;

**WHEREAS**, full-time employees of the Village are provided paid leave benefits, including vacation, sick and personal days, that meet or exceed the amount of paid leave provided under the PLAWA, pursuant to the Village of Brookfield Personnel Manual, *bona fide* collective bargaining agreements or other employment agreements;

leave provided under the PLAWA, pursuant to the Village of Brookfield Personnel Manual, *bona fide* collective bargaining agreements or other employment agreements;

**WHEREAS**, Section 15(p) of the PLAWA also provides that the provisions of the PLAWA shall not apply to any employer that is covered by a municipal ordinance that is in effect on January 1, 2024, that requires an employer to give any form of paid leave to their employees; and

**WHEREAS**, the corporate authorities of the Village find that it is necessary to require that the Village, as an employer, provide a form of paid leave to its employees by amending the Village Code to set forth this requirement, rendering the provisions of the PLAWA inapplicable to the Village of Brookfield, as a municipal employer;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1:** The facts and statements contained in the preambles to this ordinance are found to be true and correct and are hereby adopted as part of this ordinance.

**Section 2:** Division 1 of Article IV entitled "Officers and Employees" of Chapter 2 entitled "Administration" of the Code of Ordinances, Village of Brookfield, Illinois, is hereby amended by adding a new Section 2-133, to read as follows:

**2-133 – Paid Leave Required for Full-Time Village Employees.**

The Village of Brookfield shall provide all full-time employees of the Village with no less than five (5) work days of paid leave per year, to be administered pursuant to the Village of Brookfield Personnel Manual, a *bona fide* collective bargaining agreement or other employment agreement.

**Section 3:** Pursuant to Section 2-133 of the Code of Ordinances, Village of Brookfield, Illinois, and Section 15(p) of the Paid Leave for All Workers Act (820 ILCS

192/15(p)), the provisions of the PLAWA shall not apply to the Village of Brookfield, as a municipal employer.

**Section 4:** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

**Section 5:** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

**Section 6:** This ordinance shall take effect upon its passage, approval and publication in pamphlet form.

**ADOPTED** this 11<sup>th</sup> day of December 2023, pursuant to a roll call vote as follows:


AYES:	-	_____
NAYS:	-	_____
ABSENT:	-	_____
ABSTENTION:	-	_____

Ayes: Trustees Narimatsu, Ketchmark, Gilhooley, Cote, Kaluzny, Hendricks  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_  
Abstention: \_\_\_\_\_

**APPROVED** by me the 11<sup>th</sup> day of December 2023.

  
\_\_\_\_\_  
Michael J. Garvey, President of the  
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office,  
this 11<sup>th</sup> day of December 2023.

  
\_\_\_\_\_  
Brigid Weber, Clerk of the  
Village of Brookfield, Cook County, Illinois