

# Illinois Paid Leave for All Workers Act

## FAQ's

### 1. What is the Illinois Paid Leave for All Workers Act?

On January 1, 2024, the Illinois Paid Leave for All Workers Act goes into effect, which requires nearly all covered Illinois employers to provide their covered employees with up to 40 hours of paid leave per year, to be used "for any purpose."

The goal of this leave time, which is offered in addition to other benefit time employees may receive, is to provide eligible employees with additional benefit time for circumstances that require them to be away from the workplace. This benefit supports our employees who previously did not earn benefit time (vacation and/or sick leave), those who are new to the University and do not have benefit time available to use yet, and those who have exhausted their benefit time during a leave of absence. WIU has named this leave "IL Paid Leave."

### 2. Are all employees of Western Illinois University eligible to receive paid hours under this Act?

In accordance with the Act, the following are excluded from IL Paid Leave:

- Temporary college or university student employees, including graduate assistants
- Short-term employees employed by an institution of higher education for less than two (2) consecutive calendar quarters who do not have a reasonable expectation of being rehired for the same job in the next calendar year

### 3. If the Act is effective on January 1, 2024, will my hours of IL Paid Leave time be available to use as of that date?

No. In accordance with the Act, employees will be required to wait 90 days before being eligible to use the time; therefore, existing employees may begin using time on March 31, 2024.

### 4. 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. However, employees who work fewer hours may accrue less leave time compared to full-time employees, meaning part-time employees will receive a prorated amount of leave.

### 5. Will other benefit time made available to me (e.g., vacation, sick, or compensatory time) be reduced upon the receipt of the hours required under the Act?

No. Hours provided under the Act are a new and entirely separate bank of time for eligible employees to utilize and are called IL Paid Leave hours on the employee's time card.

**6. Will my balance of time provided under the Act be paid out to me if I leave the University?**

No. IL Paid leave hours are not payable upon separation from the University.

**7. What happens to my balance if I have a break in service or transfer positions within the University?**

Employees who separate from employment and subsequently return to employment with the University within the same calendar year will not be allocated a new 40 hours of IL Paid Leave, but rather will have whatever balance reinstated that remained at the time they separated from employment. If individuals return to employment in a new calendar year, they will receive a new deposit of hours.

Employees who transfer positions within the University will carry their balance with them, provided they are transferring to a classification/position that is eligible for the time under the Act.

**8. How do I request to use this time?**

An employee should request the time in accordance with current department procedures for requesting benefit time.

If the need for use of the hours granted under the Act is foreseeable, the employee should provide notice to their supervisor with at least seven calendar days' notice. If the leave is not foreseeable, the employee should notify their supervisor as soon as practical through ordinary department call-in or notice procedures and designate the time as IL Paid Leave hours.

**9. Can my request to use IL Paid Leave time be denied?**

Departments should approve IL Paid Leave time requests to the greatest extent possible. However, the use of IL Paid Leave time is subject to operational necessity and may be denied if the absence creates a situation where minimum staffing requirements cannot be met. Examples of operational necessity include, but are not limited to, situations where operational safety requires a certain number of employees to be working during a shift or event-specific operations requiring a specific level of staffing (e.g., move-in or commencement).

WIU requires employees to take time at the minimum increment allowed by the Act, which is two hours per occurrence.

**10. Do I need to provide documentation or give a reason to justify my need for IL Paid Leave time usage?**

No. An employee cannot be required to produce any documentation or give a reason to justify the need for leave.

**11. Will IL Paid Leave time absences be included in performance evaluations or disciplinary actions?**

No. Absences taken as IL Paid Leave time will not be considered for performance evaluations, Civil Service unscheduled absence/hours tracking, or disciplinary actions as long as proper notification procedures were followed and the absence was designated as IL Paid Leave time at the time of the request.

**12. If I have hours leftover at the end of the calendar year, will my balance carryover to the next calendar year?**

No. Any hours remaining at the end of the calendar year will be removed from the balance. Employees will receive a new balance of hours at the beginning of the calendar year.

**13. Can I use IL Paid Leave time for days that I am not scheduled to work?**

No. IL Paid Leave hours may only be requested for use on days that the employee was scheduled to work. For example, IL Paid Leave hours cannot be used while an employee is on layoff or for administrative closure or holiday times when the employee is not ordinarily eligible for pay.

**14. Where will I check my balance for IL Paid leave hours?**

Employees will find their balance in WIUP or the same place where other benefit time hours, such as vacation and sick leave, are listed.