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PAID SICK LEAVE

REQUIRES PAID LEAVE FOR MEDICAL OR SAFETY ISSUES (MCC 1-24)

Employers must provide employees with Paid Sick Leave (PSL) to care for themselves or a family member if they work at least 80 hours within any 120-day period

| Accrual | Use | Carry-Over |
|---|---|--|
| <p>1 HOUR PSL</p> <p>for every 40 HOURS worked (up to 40 hours in a 12-month period)</p> | <p>Up to 60 hours in a 12 month period, when: the employee or a family member is ill, injured, or a victim of domestic violence or sex offense, or for medical care, treatment, diagnosis, or preventative care, among other reasons</p> | <p>½ of PSL hours can be carried over between 12 month periods, up to 20 hours. In certain cases, up to 40 hours may be carried over</p> |

What is Paid Sick Leave?

Paid Sick Leave represents hours that a Covered Employee earns and can use to take paid time off if they or a family member are injured or ill, among a number of qualifying reasons.

Employees must qualify for and earn Paid Sick Leave. If an Employee works at least 80 hours in any 120-day period in Chicago, the Employee qualifies for Paid Sick Leave. For every 40 hours worked, and Employee earns one hour of Paid Sick Leave. The Employee can earn up to 40 hours of Paid Sick Leave in any 12-month period, unless the Employer sets a higher limit. The 12-month period starts when an Employee first starts to earn Paid Sick Leave.

Employees can use the Paid Sick Leave they have earned when they or a family member is sick, injured, receiving medical care, or is a victim of domestic violence or a sex offense. They can also use Paid Sick Leave when their place of work has been ordered to close due to a public health emergency, or they must care for a child whose school has been ordered to close due to a public health emergency.

Where can I find information on using Paid Sick Leave during the COVID-19 pandemic?

The Department of Business Affairs and Consumer Protection has posted information on Paid Sick Leave and other worker protections during the COVID-19 pandemic on its website, accessible [here](https://www.chicago.gov/content/dam/city/depts/bacp/general/COVID-19/20200408_COVIDOLSWorkerProtectionFAQs.pdf) (https://www.chicago.gov/content/dam/city/depts/bacp/general/COVID-19/20200408_COVIDOLSWorkerProtectionFAQs.pdf).

What documents are required when an Employee decides to use Paid Sick Leave?

An Employer may require a note after an Employee uses three sick days in a row. However, Employers are expected to accept a self-certification as documentation for use of Paid Sick Leave when acquiring a doctor's note proves difficult due to a public health emergency.

Can Paid Sick Leave be accrued in anything other than hourly increments?

No, Paid Sick Leave can only be accrued in hourly increments.

If a Covered Employee works outside Chicago, can they still accrue Paid Sick Leave?

Hours worked outside Chicago do not count towards the accrual of Paid Sick Leave.

Under what circumstances can a Covered Employee use Paid Sick Leave due to a medical issue in the family?

A Covered Employee can use Paid Sick Leave when a member of the employee's family is ill or injured, or to care for a family member receiving medical care, treatment, diagnosis, or preventative care. The employee can also use Paid Sick Leave when the employee needs to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency. Finally, the employee can use Paid Sick Leave if a family member is the victim of domestic violence or a sex offense.

Who counts as a family member for the purposes of Paid Sick Leave?

A family member is a Covered Employee's child, legal guardian or ward, spouse under the laws of any state, domestic partner, parent, spouse or domestic partner's parent, sibling, grandparent, grandchild, or any other individual related by blood or whose close associate with the Covered Employee is the equivalent of a family relationship. A child includes not only a biological relationship, but also a relationship resulting from an adoption, step-relationship, and/ or foster care relationship, or a child to whom the Covered Employee stands *in loco parentis*. A parent includes a biological, foster, stepparent or adoptive parent or legal guardian of a Covered Employee, or a person who stood *in loco parentis* when the Covered Employee was a minor child.

Where can I find a copy of the Minimum Wage and Paid Sick Leave notice?

The Department of Business Affairs and Consumer Protection provides the Minimum Wage and Paid Sick Leave notice on the [website](https://www.chicago.gov/city/en/depts/bacp/supp_info/minimumwageinformation.html) of the Office of Labor Standards (https://www.chicago.gov/city/en/depts/bacp/supp_info/minimumwageinformation.html).

What notices does an Employer need to provide to Covered Employees?

The Employer must provide the Minimum Wage and Paid Sick Leave notice to all Covered Employees with their first paycheck and in communal areas at a workplace. Notices must be

provided in English and any language spoken by Employees that do not speak English proficiently, provided that a notice in that language has been provided by the Department of Business Affairs and Consumer Protection on the Office of Labor Standards [website](#).

Can notices be transmitted electronically?

Yes, the notices mandated to be provided with Covered Employee's paychecks can be transmitted electronically. Likewise, notices can be posted physically in break rooms or other communal areas at a workplace, and can be displayed electronically on electronic bulletin boards and TV monitors in communal areas. All physical notices must be scaled appropriately (8.5 X 11 inches for notices provided with paychecks, and 11 X 17 inches for workplace postings). While there are no specific size requirements for electronic notices, they should be at least as legible as the physical notice requirements.

I'm an Employee and I think my rights under the Minimum Wage and Paid Sick Leave Ordinance have been violated. How can I submit a complaint to the Office of Labor Standards?

You can submit a complaint several ways:

1. Call 311
2. Use the CHI 311 mobile application
3. Download and mail a complaint form to the Office of Labor Standards, Department of Business Affairs and Consumer Protection, 121 North LaSalle Street, City Hall, Room 805, Chicago, IL 60602. The complaint form can be found online at: <http://www.chicago.gov/laborstandards>.
4. Download and email the complaint to the Office of Labor Standards at bacplaborstandards@cityofchicago.org.

Information on the complaint form should detail the basis of your complaint. If appropriate, the Office of Labor Standards will review your complaint and start an investigation.