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KNOW YOUR RIGHTS: Cook County & Chicago, IL Paid Sick Time

Cook County and Chicago have each enacted their own sick time laws, which offer similar protections. This fact sheet provides information on both laws.

1) What do the Cook County and Chicago Paid Sick Time laws do?

The Chicago law gives workers up to 40 hours of sick time a year, which can be used:

- To recover from physical/mental illness or injury;
- To seek professional care, including medical diagnosis, treatment, preventative, or behavioral care;
- To care for a family member who is ill/injured, ordered to quarantine, or needs professional care, including medical diagnosis, treatment, preventative, or behavioral care;
- When the worker's place of business is closed by order of a public official due to a public health emergency or to care for a family member whose school, class, or childcare provider has been closed;
- If the worker or a family member is the victim of domestic violence, a sexual offense, stalking, or human trafficking; or
- If the worker obeys an order by the Mayor of Chicago, the Governor of Illinois, the Chicago Department of Public Health, or a treating healthcare provider requiring the worker to:
 - stay at home to minimize the transmission of a communicable disease;
 - remain at home while experiencing symptoms or sick with a communicable disease;
 - obey a quarantine order that has been issued to the worker; or
 - obey an isolation order that has been issued to the worker.

The Cook County law gives workers up to 40 hours of sick time a year, which can be used to recover from physical/mental illness or injury; to seek medical diagnosis, treatment, or preventative care; to care for a family member who is ill/injured or needs medical diagnosis, treatment, or preventative care; when the worker's place of business is closed by order of a public official due to a public health emergency or to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency; or if the worker or a family member is the victim of domestic violence, a sexual offense, or stalking.

2) Am I covered?

If you work as an employee in **Chicago** for at least **80 hours** for an employer **within any 120-day period**, you are probably covered by the Chicago law, whether you are a **full-time, part-time, or temporary** worker. Workers are covered regardless of immigration status. However, the law does not cover certain camp counselors, government employees other than employees of

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the City of Chicago and certain City agencies, or construction industry workers covered by a collective bargaining agreement (CBA).

If you work as an employee in **Cook County** for at least **80 hours** for an employer **within any 120-day period**, you may be covered by the Cook County law, whether you are a **full-time, part-time, or temporary** worker. However, the law does not cover federal, state, or local government employees, or construction industry workers covered by a collective bargaining agreement (CBA). Workers in certain municipalities within Cook County may not be covered, if the municipality has opted out of the law.

3) How much paid sick time can I earn?

You earn **1 hour** of paid sick time for **every 40 hours worked**, up to a maximum of **40 hours** per year.

All covered employees are protected against being fired or punished for using or requesting their sick time (including threats, discipline, demotion, reduction in hours, termination, etc.).

4) What if my work or my child's school or daycare is closed for a health emergency?

You can also use your sick time if your place of business is closed by order of a public official due to a public health emergency or to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency.

5) Which of my family members are covered by the law?

Under the law, you can take sick time to care for yourself or a child, spouse, domestic partner, civil union partner, parent, parent of a spouse or domestic partner, grandchild, grandparent, sibling, or for any other blood relative (such as an aunt, cousin, etc.) or any other individual whose close association with you is the equivalent of a family relationship (such as a close friend who is like family, a significant other, etc.).

6) What if I already have paid leave or paid time off?

If you already get any paid leave (vacation, paid time off, etc.) that you can use as sick time **and** it's **at least** the same amount you would earn under this law, the law does **not** give you any additional paid time off.

7) When can I begin using my sick time?

You start earning sick time immediately but cannot use it until 180 calendar days after the start of your employment.

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8) Do I need a doctor's note?

Only after more than 3 consecutive work days of absence (and the note does not have to specify your illness).

The Cook County Commission on Human Rights is in charge of enforcing the Cook County law. The Chicago Department of Business Affairs and Consumer Protection is in charge of enforcing the Chicago law.

All covered workers are protected against being fired or punished for using or requesting sick or safe time. If you have a problem—or want more information—call A Better Balance's free legal clinic at **1-833-NEED-ABB**.

Please note that this fact sheet does not represent an exhaustive overview of the paid sick time law described, and it does not constitute legal advice. It is possible that additional provisions not described in this fact sheet may apply to a worker's specific circumstances or category of employment.