
DATE: October 2, 2023

MEMO TO: Gina Roberts, Chair
Finance Committee

FROM: Mary E. Kann
Director of Administration

RECOMMENDATION: Approve amendments to the Procedure Section of Personnel Policy 4.2 – Vacation Leave.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability

FINANCIAL DATA: There is no immediate direct financial impact.

BACKGROUND: Effective January 1, 2024, the Paid Leave for All Workers Act (the “Act”) will take effect requiring Illinois employers to provide paid leave for all employees no matter their employment status (full-time, part-time or temporary). To comply with the requirements of the Act, the District must amend its vacation leave procedures that apply to regular full and part-time non-union employees who are currently eligible for vacation leave. Also this month, staff is recommending approval of a separate ordinance that would provide vacation leave benefits for part-time and temporary employees who currently are not eligible for such benefits.

Under the Act, employees must have access to paid time off no later than 90 days into their employment. Presently, under the District’s Vacation Leave Procedure, part-time benefit-eligible employees are not eligible for vacation time until they have completed six months of employment. In the proposed amended Procedure (attached), language has been added to front-load vacation time for part-time employees in an amount equal to the time they would earn within six months of employment. Part-time employees (like full-time employees) will have access to this vacation time on their first day of employment.

In addition, under the Act, an employee’s request for paid time off in compliance with the Act cannot be denied nor can an employer require an employee to find a replacement employee. The Procedures section currently has language that allows a manager to deny a vacation leave request, if it interferes with the efficient or effective operation of the Department or District or if temporary help or overtime would be required. In the proposed amended Procedure, this language is stricken. Because the Act protects the first 40 hours of annual vacation leave, the Procedure provisions that give a manager discretion regarding vacation leave above that 40-hour threshold are still lawful.

In the amended form attached to this memorandum, the Procedure will comply with the Act.

REVIEW BY OTHERS: Board Operations Manager, Director of Finance, Manager of Human Resources & Risk, and Corporate Counsel.

MOTION: Motion to amend the Procedure Section of Personnel Policy 4.2 – Vacation Leave, in the form attached to staff’s October 2, 2023 memorandum.



4.2 Vacation Leave

Effective Date: August 15, 1980

Revision Date: June 19, 1987, May 27, 1994, August 21, 1998, April 14, 2000, June 21, 2002, October 14, 2005, November 7, 2013, July 11, 2018, January 1, 2019, December 9, 2021, May 4, 2023, January 1, 2024

Procedure

1.
 - a. Regular full-time and part-time employees who work more than one thousand (1,000) hours per year are eligible to accrue vacation leave.
 - b. An employee may take vacation leave as it is accrued, under conditions established by the Department Director, in accordance with this section.
2. Vacation is accrued with each pay period worked by the employee with the exception of introductory full-time and part-time employees. An introductory full-time employee will be front-loaded 40 hours of vacation time upon hire. An introductory part-time employee will be front-loaded pro-rated vacation hours equal to the number of vacation hours they are expected to accrue during their first six months of employment under the budgeted FTE of their position. For example, an employee with a position budgeted at .50 FTE is expected to earn 20 vacation hours during their first six months and therefore will be frontloaded that number of vacation hours. Upon successful completion of the introductory period, the employee will begin accruing time in accordance with this policy. A regular part-time employee may accrue annually no more vacation leave than the amount of vacation leave that a regular full-time employee in the same service-years category may accrue (e.g., if a regular full-time employee with one (1) to five (5) years of service may accrue a maximum of (10) days or eighty (80) hours of vacation leave, then a regular part-time employee with one (1) to five (5) years of service also may accrue a maximum of ten (10) days or eighty (80) hours of vacation leave).
3. An employee must submit their request for vacation leave to their manager via the District's HRIS System. An employee may take more than ten (10) consecutive working days of vacation leave only if approved by the Department Director. The Executive Director may take more than ten (10) consecutive working days of vacation leave only if approved by the Board President.
4. At any time, an employee's accrued vacation leave balance cannot exceed two times the vacation leave for which the employee is eligible. For example, an employee eligible for fifteen (15) days per year of vacation leave would be able to accrue a maximum vacation leave of thirty (30) days.



5. One (1) year of continuous service is defined as twelve (12) months on paid status as a benefit eligible full or part-time employee. Any employee on unpaid approved leave does not accrue vacation leave during the time they are on an unpaid leave.
6. When a current County of Lake employee is hired, the employee's prior years of service with the County will be counted when determining the rate at which the employee accrues vacation leave. Vacation leave will not be carried over from the County.

When an employee is hired, the employee's prior years of service may be counted, at the Executive Director's discretion, when determining the rate at which the employee accrues vacation leave. If a new hire is awarded a higher accrual rate, the employee will receive 40 front loaded hours upon hire then an accrual adjustment reflective of their earning rate upon successful completion of their introductory period.

7. Upon termination of an employee, all unused and accumulated vacation leave as of the date of the employee's termination will be paid to the employee on their final paycheck.