

Beginning 07/01/2017, all Cook County Employers have to pay their employees PTO. I was wondering how to request employees to prove they are taking this PTO for the Qualified Usage of this. Here's what I have found about the ordinance and qualified usage:

The county ordinance requires a covered employer to provide to eligible employees up to 40 hours (5 work days) of paid sick leave in a 12-month period. The 12-month period begins as soon as the covered employee begins employment or July 1, 2017, whichever is later. The earned sick leave time may be used for recovering from illness or injury, medical treatment, diagnosis or preventative care for the employee or the employee's child, parent, spouse, domestic partner, sibling, grandparent, grandchild, including step and foster relationships, and "anyone whose close association with the employee is the equivalent of a family relationship." It may also be used for matters related to domestic violence or sexual assault; and, when an employee must care for a child due to a public health emergency closure related to the child's school or care facility.

We don't require proof. It is PTO so they can use the days for any reason they see fit. We urge against frequent unscheduled time off as it can lead to write ups and termination.

This one makes me SO Happy we moved out of Cook County to Will County!

I'm not sure how we are going to do it yet. We have to create a policy (we currently don't have one for sick pay).

This is insane for a manufacturing company. Very sad that cook county is doing this. So anti-business! Seriously

I guess it depends on their current vacation/sick/PTO policy and how that is designated by the employee at the time it is taken. They can do something similar, or just ask the employee to designate the date for the benefit they're entitled to, just as they would if FMLA-designated for intermittent type leaves.

Our company currently provides its employees with 24 hours of PTO per year, (8 hours per 17 weeks worked) Although I am not an employer in Cook County, I was curious about the mandate and did some research. See below:

An employer cannot require an employee to find a replacement worker to cover the hours during which he or she is using paid sick leave under the Ordinance.

Paid Sick Leave Requests and Certification

When the need for paid sick leave is reasonably foreseeable, an employer may require the employee to provide up to seven days' advance notice. Reasonably foreseeable needs for paid sick leave include, but are not limited to, prescheduled appointments with a health care provider or court dates for domestic violence cases. Absent a reasonably foreseeable need for paid sick leave, an employer may require the employee to provide notice via phone, email, or text message as soon as practicable on the day the employee intends to use leave. An employer may also establish a notification policy if: (1) it notifies the employee of the policy in writing; and (2) the policy is not unreasonably burdensome. An employer must waive its notice requirements for an employee who cannot provide notice because he or she is unconscious or otherwise incapacitated. If the FMLA also covers the paid sick leave, employee notice must comply with FMLA requirements.

If an employee is absent for more than three consecutive work days, an employer may require certification that the employee used paid sick leave for a reason the Ordinance covers. When the employee's reason for paid sick leave is because of illness, injury, or medical care, signed documentation from a licensed health care provider will satisfy the Ordinance's certification requirement. An employer cannot require that documentation specify the nature of an injury, illness, or condition, except as the law requires.

When an employee's need for paid sick leave is because he or she (or the employee's family member) is a victim of stalking, or domestic and sexual violence, the employee satisfies the Ordinance's certification requirement by providing a copy of any of the following documents:

1. Police report;
2. Court document;
3. Signed statement from an attorney, clergy, or victim services advocate;
4. The employee's own written statement;
5. The written statement of any person with knowledge of the circumstances; or
6. Any other evidence that supports the employee's reason for taking paid sick leave.

Wow, makes me happy our business is located outside of Cook County.

I personally would track the PTO time off as you would FML time off. If the law allows, I would request documentation of the doctor's visit if you feel there is abuse of the time off. I would also track it like you do FML so you know how many days have been requested and how many days are available. Quick question, since I am not in Cook County, does the 12 month period run calendar year or anniversary year? The answer to that will determine how much extra effort and time you will have to put into tracking the paid sick leave.

Next question, if the employee does not use all the days do they lose them or do you have to pay them out?

Next question, can an employee take the time off in hourly segments, 4 hour segments, or the entire day? If they are allowed to take the time off in hourly segments, that will be a nightmare to track. I am hoping it is a minimum of 4 hour segments.

Again, very glad we are not located in Cook County or the city of Chicago.
