

Illinois

Chicago Area Paid Leave Comparison Chart

Paid leave laws affecting Chicago-area employers underwent significant changes at the end of 2023 and the beginning of 2024. The chart below compares key features of the Illinois statewide [Paid Leave for All Workers Act](#), the [Cook County Paid Leave Ordinance](#), and the [Chicago Paid Leave and Paid Sick and Safe Leave Ordinance](#). Note that other laws in these jurisdictions may require paid leave for additional reasons.

| | City of Chicago Paid Leave and Paid Sick and Safe Leave | Cook County Paid Leave Ordinance | Illinois Paid Leave for All Workers Act |
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| Effective date | 7/1/24 | 12/31/23 *Enforcement begins 2/1/2024. | 1/1/24 |
| Where does it apply? | Within the city of Chicago | All municipalities within Cook County, except Chicago, unless a municipality has opted into IL Paid Leave for All Workers Act or has an equivalent ordinance. | Entire state of Illinois. Some jurisdictions (e.g., Cook County, city of Chicago) may have their own laws. |
| Who does it apply to? | "Covered employees" means any employee who performs at least 80 hours of work for an employer in a 120-day period while physically present within the geographic boundaries of the city of Chicago (this includes domestic workers and individuals who travel within the boundaries of the city of Chicago on compensated time). *Some exceptions apply. | "Employees" are covered by the Cook County Paid Leave Ordinance if they: (1) work for an employer in Cook County; and/or (2) their employer has a place of business in Cook County. This also includes domestic workers. *Some exceptions apply. | "Employees" means individuals who perform work in Illinois for an employer that does business in Illinois. *Some exceptions apply. |

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| <p>For what reasons can leave be used?</p> | <p>Paid leave – For any reason. Paid sick leave – For illness, injury, family illness, victim of domestic violence, victim of sex offense or trafficking, business closed for public health emergency, family care, etc.</p> | <p>For any reason.</p> | <p>For any reason.</p> |
| <p>When can employees begin using leave?</p> | <p>Paid leave - No later than 90 calendar days after starting employment. Paid sick leave – No later than 30 calendar days after starting employment.</p> | <p>May begin using paid leave on either:</p> <ul style="list-style-type: none"> • 90 days after 12/31/23; or • 90 days after starting employment, whichever is later. | <p>May begin using paid leave on either:</p> <ul style="list-style-type: none"> • 90 days after 1/1/24; or • 90 days after starting employment, whichever is later. |
| <p>Accrual rate</p> | <p>Paid leave and paid sick leave:</p> <ul style="list-style-type: none"> • Minimum of one hour for every 35 hours worked • Maximum of 40 hours for each 12-month period (unless employer sets higher limit) <p>*Employers may front-load leave at the beginning of the year rather than use accrual.</p> | <p>One hour of paid leave for every 40 hours worked.</p> <p>*Employers may front-load leave at the beginning of the year rather than use accrual.</p> | <p>One hour of paid leave for every 40 hours worked.</p> <p>*Employers may front-load leave at the beginning of the year rather than use accrual.</p> |
| <p>Individual right of action option?</p> | <p>Yes. Effective 12/31/23 for paid sick leave, and 7/1/25 for paid leave (see Chicago Municipal Code 6-130-100).</p> | <p>Yes.</p> | <p>No.</p> |
| <p>Cure period?</p> | <p>Yes, temporary; cure period is available from July 1, 2025, to June 30, 2026, then sunsets.</p> | <p>No.</p> | <p>NA.</p> |
| <p>Carryover of unused time allowed?</p> | <p>Paid leave – Yes, may carry over up to 16 hours of unused paid leave (except where</p> | <p>Yes. Any unused paid leave can be carried over (except where</p> | <p>Yes. Any unused paid leave can be carried over (except where</p> |

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| | <p>frontloaded/provided on a pro rata basis).</p> <p>Paid sick leave – Yes, may carry over up to 80 hours of unused paid sick leave.</p> | <p>front-loaded/provided on a pro rata basis).</p> <p>NOTE: Employers are not required to allow use of more than 40 hours of paid leave in a 12-month period.</p> | <p>front-loaded/provided on a pro rata basis).</p> <p>NOTE: Employers are not required to allow use of more than 40 hours of paid leave in a 12-month period. (See Proposed Paid Leave Rules, IL Register, Issue 44)</p> |
| <p>Payout of unused leave required on termination from employment?</p> | <p>Large employers (101+ employees) – Yes, payout of FULL amount of unused leave required.</p> <p>*NOTE: never more than seven days (five accrued days plus two carry-over days).</p> <p>Medium-sized employers (between 51 and 100 covered employees)—Yes. However, must pay out only a maximum of 16 hours until 7/1/2025, unless employer sets higher limit.</p> <p>*(After 7/1/2025, Medium-sized employers must pay out full amount of unused, accrued leave.)</p> <p>*NOTE: Never more than seven days (five accrued days plus two carry-over days).</p> <p>Small employers (50 or fewer covered employees)—Not required to pay out unused leave.</p> | <p>Generally no, unless paid leave was already credited to an employee’s paid time off bank or vacation account (front-loaded).</p> | <p>No, unless paid leave was already credited to an employee’s paid time off bank or vacation account (front-loaded). (See Illinois Wage Payment and Collection Act.)</p> |

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| <p>Penalties</p> | <p>Employer liable for damages for actual underpayment, compensatory damages and fines ranging from \$1,000.00 to \$3,000.00 per offense. Each day that a violation continues shall constitute a separate and distinct offense.</p> | <p>Employer liable to employee for damages for actual underpayment, compensatory damages, and fines ranging from \$500 to \$1,000.</p> | <p>Employer liable to employee for damages for actual underpayment, compensatory damages, fines ranging from \$500 to \$1,000, equitable relief, which may include attorney’s fees, expert witness fees, other costs.</p> |
| <p>Filing period</p> | <p>Within three years of the alleged violation (see Chicago Municipal Code 2-25-200(8)(e)). If multiple or continuing violations, within three years of the date of the last occurrence.</p> | <p>Within three years of the alleged violation. If multiple or continuing violations, within three years of the date of the last occurrence.</p> | <p>Within three years of the alleged violation. If multiple or continuing violations, within three years of the date of the last occurrence.</p> |

Source: Cook County, Illinois Commission on Human Rights

More Information

Contact Employco USA, Inc. for more information on paid leave laws in Illinois.