

ILLINOIS

Illinois Issues New FAQs for Paid Leave for All Workers Act

The Illinois Department of Labor has issued additional [answers to frequently asked questions](#) (FAQs) about the Paid Leave for All Workers Act (Act), which takes effect Jan. 1, 2024. The department updated the FAQs on Oct. 18, 2023. It issued its first set of FAQs about the law last May.

Paid Leave for All Workers Act

Under the Act, employees must accrue one hour of paid leave for every 40 hours worked, up to a minimum of 40 hours of leave per 12-month period. Leave may be used after 90 days of employment. The Act applies to most employers and employees.

FAQs

In addition to providing guidance on specific issues related to the Act, the new FAQs state that the department expects to file **draft rules** for the law before its effective date of Jan. 1, 2024 (with finalized rules anticipated before March 31). In addition, the FAQs say the **employer notice** required by the Act will be available on the department's website by the end of 2023.

The new FAQs clarify the following points, among others:

- ✓ Employees may use leave under the Act concurrently with FMLA leave.
- ✓ Employees may use leave under the Act before using unpaid leave under any employer policy or other state law.
- ✓ Employers may deny leave for "operational necessity" if this policy is communicated to employees, applied equally to all employees, and conforms with state and federal law (rules are expected on this topic).
- ✓ Existing employer policies that provide 40 hours of paid time off for any reason comply with the Act even if they do not meet its two-hour minimum increment requirement.

Provided to you by **Employco USA, Inc.**

Important Dates

Oct. 18, 2023

New FAQs published for the Paid Leave for All Workers Act

Jan. 1, 2024

Paid Leave for All Workers Act takes effect

March 31, 2024

Employees will be able to use accrued paid leave for the first time

In limited circumstances, employers may deny leave for reasons of operational necessity.