

AN ORDINANCE AMENDING CHAPTER 7 OF THE
ARLINGTON HEIGHTS MUNICIPAL CODE

WHEREAS, the Village of Arlington Heights, as a home rule unit of local government as provided by Article VII Section 6 of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII Section 6 of the Illinois Constitution of 1970; and

WHEREAS, on October 5, 2016, the County of Cook Board of Commissioners adopted an ordinance that requires employers in Cook County to provide a minimum number of paid sick days to employees and on October 26, 2016, the County of Cook Board of Commissioners adopted an ordinance creating a minimum wage for employers in Cook County (collectively “Cook County Ordinances”); and

WHEREAS, the Village of Arlington Heights finds that these Cook County Ordinances place an undue burden on employers within the Village of Arlington Heights given the current rights of employees available under Federal and State law; and

WHEREAS, Article VII Section 6(c) of the Illinois Constitution provides that if a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction; and

WHEREAS, pursuant to its home rule powers, the Village of Arlington Heights finds it in the best interest of the Village to amend the Village Code to clearly define the sick leave and minimum wage regulations that apply to employers located in the Village of Arlington Heights,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: The recitals above shall be and are hereby incorporated in this Section One as if restated herein.

SECTION TWO: That Chapter 7, Other Village Government Provisions, of the Arlington Heights Municipal Code is hereby amended by adding a new Article XIV, to read as follows:

Article XIV Conflicts with Certain Home Rule County Ordinances

Section 7-1401 Minimum Hourly Wages and Paid Sick Leave.

- a. Employers located within the Village shall comply with all applicable federal and/or State laws and regulations as such laws and regulations may exist from time to time with regard to both the payment of minimum hourly wages and paid sick leave. Employee eligibility for paid sick leave and minimum hourly wages shall also be in compliance with all applicable federal and/or State laws and regulations as such laws and regulations may exist from time to time.

- b. No additional obligations with regard to paid sick leave, or minimum hourly wages, including, without limitation, any additional obligations by ordinance adopted by the County of Cook Board of Commissioners, shall apply to employers located within the Village, except those required by federal and/or State laws and regulations as such laws and regulations may exist from time to time.
- c. For the purposes of this Section, the term “employee” means an individual permitted to work by an employer regardless of the number of persons the employer employs, and the term “employer” means any person employing one or more employees, or seeking to employ one or more employees, if the person has its principal place of business within the Village or does business within the Village.
- d. For the purposes of this Section, the term “employer” does not mean:
 - 1. the government of the United States or a corporation wholly owned by the government of the United States;
 - 2. an Indian tribe or a corporation wholly owned by an Indian tribe;
 - 3. the government of the State or any agency or department thereof; or
 - 4. the government of any municipality.

SECTION THREE: The provisions of this Ordinance are severable, and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of this Ordinance.

SECTION FOUR: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, in the manner provided by law.

AYES:

NAYS:

PASSED AND APPROVED this 1st day of May, 2017.

ATTEST:

Village President

Village Clerk

CODEAMENDMENTS:7 Article XIV sick and minimum wage