

ORDINANCE 2018 – O - 5

**AN ORDINANCE AMENDING §H12
OF THE WAGE POLICY ORDINANCE**

WHEREAS, the Village has long had a Wage Policy Ordinance in effect which serves to govern many of the aspects of the employer-employee relationship between the Village and its employees, and

WHEREAS, Chapter H of the Wage Policy Ordinance provides that the Village follows the federal Family Medical Leave Act (or FMLA), but does not choose among several options available under FMLA, and

WHEREAS, the Village Board finds and declares that making certain choices among those options is an appropriate exercise of the management function which will fairly balance the rights of the employees with the interests of the taxpayers in receiving efficiently delivered services at reasonable costs, and

NOW THEREFORE, BE IT ORDAINED by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

SECTION ONE: Section H12 of the Winthrop Harbor Wage Policy Ordinance is hereby amended and shall hereafter read as follows (additions underlined, deletions ~~stricken~~):

H12 Family Medical Leave Act (FMLA)

The Village adheres to the federal Family Medical Leave Act. The following options within FMLA shall apply:

- a) The employees' Leave Year is defined as a "rolling leave year" by which the leave year for each employee begins with his or her first day of FMLA leave and extends for one calendar year thereafter. (See Section 825.200 of the FMLA regulations)
- b) Employees using FMLA must substitute any and all accrued paid leave (including but not limited to vacation, sick leave, compensatory time and personal days) for FMLA leave, starting with the first day of FMLA leave. This means that accrued paid leave will run concurrently with FMLA leave and during such period, the employee's leave is FMLA-protected. (See Section 825.207 of the FMLA regulations)
- c) Worker's compensation benefits for an employee's own workplace injuries is hereby designated as FMLA leave and counted against the employee's FMLA leave entitlement. (See Section 825.207 of the FMLA regulations)

- d) Employees' benefits received under any village-funded disability benefit plan is hereby designated as FMLA leave and counted against the employee's FMLA leave entitlement. (See Section 825.207 of the FMLA regulations)
- e) Employees granted more generous benefits relating to FMLA by a collective bargaining agreement (CBA) shall receive the more generous benefits specifically afforded by the CBA, but shall otherwise receive benefits under this section.

SECTION TWO: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR,
ILLINOIS, ON THIS 17th DAY OF APRIL, 2018.

ATTEST:

DR. MICHAEL BRUNO, MAYOR

JULIE RITTENHOUSE, VILLAGE CLERK