

Chicago and Cook County Paid Sick Leave FAQ

Updated 01/31/2022

Am I Entitled to Paid Sick Leave?

Likely yes, if you worked at least 80 hours within any 120 day period for an employer with a business or business license to operate in Chicago or a covered Cook County municipality.*

This includes salaried employees, domestic employees, day laborers, tipped workers, and home health care workers. If you are a union member, you should check your CBA.

Your employer can make you wait 180 days from the start of your employment to use your Paid Sick Leave.

How much Paid Sick Leave do I have?

For every 40 hours worked, you earn 1 hour of Paid Sick Leave up to 40 hours of Paid Sick Leave per year. If you work 40 hours per workweek, you will earn 5 Paid Sick Leave days per year.

You can carry over up to half of unused paid sick leave (a maximum 20 hours).

If your employer is covered by the Family and Medical Leave Act (FMLA), you can carry over up to 40 hours of unused Paid Sick Leave, in addition to half of all unused Paid Sick Leave, to use for FMLA-eligible purposes.

How do I take Paid Sick Leave?

Give your employer as much notice as possible that you will need to use your Paid Sick Leave.

If you use 3 or more work days in a row of Paid Sick Leave, your employer could require you to provide documentation to support your leave request.

Employers cannot require you to find a replacement worker to cover for you in order to use Paid Sick Leave.

What can I use my Paid Sick Leave for?

- You or your family member is ill or injured, receiving medical care, treatment, diagnosis or preventative medical care
- Your place of business is closed by order of a public official due to public health emergency
- Your child needs care because their school or place of care is closed due to a public health emergency
- You or your family member is a victim of domestic violence or sex offense.

Additional Information

- Your employer cannot discriminate or take action against you for exercising your rights to Paid Sick Leave.
- If you believe you have not received Paid Sick Leave that you are entitled to, and your employer is in:
 - **Chicago:** File a complaint with the Department of Business Affairs and Consumer Protection.
 - **Cook County:** File a complaint with the Cook County Commission on Human Rights.

***Many municipalities in Cook County have opted out of the Cook County Earned Sick Leave Ordinance. Check your municipality to find out whether you have a right to Paid Sick Leave.**



Call
312.341.1070

Monday to Friday
between 8AM and 4:30PM

Or



Apply Online

www.legalaidchicago.org