**Section 200.200 General Provisions**

a) Minimum Paid Leave Time Requirements

1) An employee is entitled to earn a *minimum of 40 hours of paid leave during a 12-month period or a pro rata number of hours of paid leave* during a 12-month period, consistent with Section 15(a) and Section 15(b) of the Act and Section 200.220 of this Part. [820 ILCS 192/15]

2) Employers may provide such leave via accrual or frontloading.

3) An employer may choose to provide more than the minimum number of paid leave hours to an employee under this subsection or otherwise adopt a more generous paid leave policy as long as the policy meets the minimum requirements of the Act and this Part.

b) An employer who has a qualifying pre-existing paid leave policy in effect on January 1, 2024, is not required to modify the pre-existing paid leave policy. If, after January 1, 2024, the employer modifies a pre-existing paid leave policy in such a way that it no longer provides a minimum of 40 hours of paid leave to be used for any reason in accordance with Section 15(a) of the Act, that policy will no longer be considered a qualifying pre-existing paid leave policy.

EXAMPLE A: Employer A has provided all employees with at least two weeks' vacation every year since 2010. The vacation policy requires at least two weeks' advance notice and manager approval, but the leave can be taken for any reason. Per the employer's policy, unused vacation time is paid out to the employee at the end of employment. Employer A does not need to modify anything about this policy after January 1, 2024, because it complies with the definition of "qualifying pre-existing paid leave policy".

EXAMPLE B: Employer B has provided all employees with 15 sick days every year since 2015, but no other form of paid leave such as vacation or paid time off. The employees can call in sick for their shift any time prior to the start of their shift without penalty so long as they have that amount of sick time available; however, the sick time is only to be used for illness, injury, and medical appointments of the employee or a family member of the employee. Employer B's policy is not a "qualifying pre-existing paid leave policy" because it does not allow employees to take leave for any reason. Therefore, on or before January 1, 2024, Employer B must modify their policy to allow at least five days of that leave to be used for any reason, or add five days that can be used for any reason in accordance with the Act.

EXAMPLE C: Employer C has provided full time employees with five days' (40 hours) vacation since 2018. Employer C does not provide any paid time off to part time employees. On or before January 1, 2024, Employer C must develop a policy to provide paid leave to part time employees at the rate of at least one hour of paid leave for every 40 hours worked, but does not need to modify its policy for full time employees.

EXAMPLE D: Employer D did not provide any paid leave to its employees prior to January 1, 2024. On January 1, 2024, Employer D adopts a paid leave policy that provides all employees 40 hours of paid leave, and the terms of that policy comply with all provisions in the Act. The following year, Employer D decides to offer an additional five days of paid leave to its employees who have been employed by them for five years or more. The employer would like to require advanced written notice in order to take that additional leave. The provisions of this Act do not apply to the additional paid leave time the employer has chosen to provide for longer-tenured employees and the employer can set different terms and conditions for use of this leave.