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Chicago Paid Sick Leave Policy - Frequently Asked Questions (FAQs)

Q. Who is eligible for Paid Sick Leave?

A. All full-time, part-time (including casual part-time and seasonal) employees who perform work within the boundaries of the City of Chicago are eligible for the Paid Sick Leave benefit.

Q. If an employee works in Cook County, are they eligible to use the City of Chicago Paid Sick Leave Ordinance?

A. Employees who are covered within the Cook County boundaries are **not** eligible for the Chicago Paid Sick Leave Ordinance but are instead provided paid leave pursuant to the Company's Cook County Paid Leave Policy.

Q. How much paid time does an employee receive under Chicago Paid Sick Leave Plan?

A.

- **Part-Time, Casual Part-time and Seasonal Employees** will accrue one hour of Paid Sick Leave for every 40 hours worked per year. Employees can carry over up to 20 hours of accrued unused sick leave but may only use 40 hours of paid sick leave in any one year.
- **Part-Time non-retail Employees** will accrue one hour of Paid Time Off (PTO) for every 40 hours worked. Employees can carry over up to 20 hours of accrued unused sick leave but may only use 40 hours of paid sick leave in any one year.
- **Full-Time employees** who have been with the company less than a year accrue one hour of PTO for every 40 hours worked, up to a maximum of 40 hours during their first year of employment. After the first year, employees will follow the standard PTO plan for full-time employees, except full-time employees can carry over up to 60 hours of accrued unused PTO per year.

Q. Why PTO instead of Paid Sick Leave for Full-Time Employees?

A. The law allows companies to meet the paid sick leave requirements with a PTO plan as long as it is at least as generous as what the law requires. By modifying the accrual rate during the first year of employment, our Full-Time PTO plan for Chicago, IL employees will provide the coverage required while still offering flexibility.

Q. Can I use accrued PTO/Paid Sick Leave immediately?

A. Full-time employees may use PTO for the reasons listed above, and any other reason as soon as it is accrued. Part-time employees may use accrued sick leave as soon as it is accrued.

Q. Is Paid Sick Leave hours accrued on overtime hours worked?

A. For hourly/nonexempt employees (not exempt from earning overtime) paid sick leave hours accrue on all hours worked.

Q. When can I use PTO/Paid Sick Leave?

A. Employees may use their accrued PTO/Paid Sick Leave for the following reasons:

- Employee, or a covered family member, is the victim of domestic violence or a sex offense (stalking, aggravated stalking, cyber stalking);
- A covered family member is ill or injured, or ordered to quarantine, or to care for a

EssilorLuxottica

family member receiving professional care, including preventive care, diagnosis, or treatment, for medical, mental, or behavioral issues, including substance abuse disorders;

- Employee, or a covered family member, is the victim of domestic violence or a sex offense (stalking, aggravated stalking, cyber stalking);
- Employee's place of business is closed by order of a public official due to a public health emergency;
- Employee needs to care for a family member whose school, class, or place of care has been closed; or
- Employee obeys an order issued by the mayor, the governor of Illinois, the Chicago Department of Public Health, or a treating healthcare provider, requiring the employee: to stay at home to minimize the transmission of a communicable disease, to remain at home while experiencing symptoms or sick with a communicable disease, to obey a quarantine order issued to the employee, or to obey an isolation order issued to the employee.

Q: What family members are covered under the Chicago Paid Sick Leave?

A: The law does not define family members. An employee may elect to use their accrued paid sick leave (up to 40 hours during a benefit year) for reasons listed above by the law for their self or family member.

Q. Can an employer set a limit on how many Paid Sick Leave hours an employee can accrue?

A. Yes. Employees may carry over up to 20 hours to the following year; except in cases in which the employee is eligible for the Family and Medical Leave Act, the employee may carry over up to 40 hours. The employee may be permitted to use up to 60 hours during the second 12-month benefit year.

Q. How do I check accrued Paid Sick Leave balances?

A. PTO/Sick leave will appear on employee paycheck. Casual part-time and retail part-time employees will see accrued sick time under "Sick Balance" on their paystub. Employees on the PTO plan will continue to see PTO. For additional questions please contact HR Service Center via the [HR Services Portal](#).

Q. How will we input and track an employee's use of Paid Sick Leave?

A. Managers using the Kronos Time Off Request process should code the time away from work as follows:

- If under a PTO policy, select "**PTO**"
- If under a Paid Sick Plan Only, select "**Sick**"

Hours used will be deducted from the PTO or Paid Sick Leave Balance shown on the employee's paycheck. Beyond the negative PTO balance allowed under the full-time PTO plan (does not apply to part-time employees), an employee will not be paid for any hours taken in excess of the accrued balance.

Q. Will we require employees to give us notice of their need for Paid Sick Leave?

A. Yes. When the need to take paid sick leave is foreseeable the employee should provide at least seven (7) days advance notice and make a reasonable effort to schedule the leave in a manner that does not unduly disrupt business operations. Where unforeseeable, employees will be required to notify us as soon as practicable and follow the normal call-in procedures, unless a legitimate reason prevents the employee from doing so.

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Q. Will an employee be asked to provide documentation verifying the need for Paid Sick Leave?

A. We may require employees to provide written documentation where sick leave surpasses three (3) consecutive work days in which the employee was scheduled to work. Examples of documentation include doctor's notes, police reports, protective orders, etc.

If management feels an employee is abusing the Paid Leave benefit, they can contact Employee Relations via the **Employee Relations** icon on [mypersonaldesk](#). Possible signs of abuse may include, but are not limited to:

- Repeated use of unscheduled paid sick leave on or adjacent to weekends, regularly scheduled days off, holidays, vacation, or pay day.
- Taking leave on days when other leave has been denied.
- A pattern of taking leave on days when the employee is scheduled to work a shift or perform duties perceived as undesirable.
- Evidence that an employee engaged in an activity that is not consistent with the employee being sick or using sick leave for a preventative medical appointment.

Q. Can an employee be required to find coverage for their absence?

A. No. An employee is not required to find a replacement to cover their shift but is encouraged to seek out and participate in voluntary shift trades.

Q. Can Paid Leave count as an absence under the attendance policy?

A. No. It is unlawful for employers to count Paid Leave as an absence that may result in discipline, discharge, demotion, suspension, or any other adverse action. However, any related absences extending beyond an employee's accrued PTO/Paid Leave balance will count as an unexcused absence, provided the absence is not covered by a Company-approved leave of absence or other applicable law.

Retaliation against any employee that asserts his or her rights to receive Paid Leave is prohibited.

Q. Is using Paid Leave the same as taking intermittent leave under the Family and Medical Leave Act (FMLA)?

A. No. Paid Leave differs from intermittent FMLA leave in many ways. Most importantly, employees do not have to contact EssilorLuxottica Leave and Disability or submit medical certification paperwork before using Paid Leave. As long as employees have accrued enough hours of PTO/Paid Sick Leave to cover their absences and provided sufficient notice for their individual circumstance, they may use their PTO/Paid Sick Leave without further Company approval.

Employees who work for employers subject to the FMLA may elect to use accrued Paid Sick Leave during the Benefit Year if the eligible employee has to take leave protected by the Family and Medical Leave Act. Paid Sick Leave time may run concurrent during the employee's FMLA. An employee covered by FMLA may use paid sick leave before using unpaid leave under any employer policy or other state law.

Note: Employees should still contact EssilorLuxottica Leave and Disability at 1-866-431-8484 to initiate a leave of absence if their absence is due to their own or a family member's serious health condition.

Please refer employees to the EssilorLuxottica Employee Guide for additional information on FMLA and Company Leave requirements. In such cases, employees may choose to use their accrued, unused PTO/Paid Sick Leave while taking a leave of absence. Managers should enter the time in Kronos, which will run concurrently with their designated leave of absence.

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Q. What if an employee's employment status changes in a calendar year?

A.

- **Part-Time to Full-Time:** If an employee's status changes from part-time to full-time, their status change date will be the date used to determine when full-time rules begin to apply. Employees will not lose the Paid Sick Leave they have accrued and will need to e-mail Kronos@luxotticaretail.com to request that their remaining accrued Paid Sick Leave be transferred to PTO hours.
- **Full-Time to Part-Time:** If an employee's status changes from full-time to part-time and they are not eligible for a part-time PTO plan, up to 40 hours of PTO will be transferred to Paid Sick Leave. Any accrued, unused PTO hours beyond the 40-hour Paid Sick Leave requirement will be paid out at the time of their status change. They will then be eligible to begin accruing Paid Sick Leave under the part-time Sick Leave plan.

Q. If I leave the Company and re-hired within 12 months or less from my separation date, will I need to re-accrue Paid Leave?

A. Full-time employees rehired within twelve (12) months from their separation date will begin accruing again, as remaining accrued PTO balances were paid out at the time of termination. Previously accrued, unused paid sick leave may be reinstated for employees if rehired within twelve (12) months from the date of separation from the company.

Documents can be found on **HR Solutions>Benefits, PTO & Holidays>Paid Sick and Safe Leave>Paid Sick Leave** (via [My Personal Desk](#)). For all other questions, please contact your HR Business Partner.