

## Paid Leave

**(Continued from page 1)**

Voegele noted: “I think this is the latest in cost increases to businesses that, large or small, get passed onto the customers. While the workforce will view this as a benefit, I envision at least two unintended consequences. This will add another reason for Illinois based companies to consider leaving and companies exploring moving to Illinois to hesitate. In addition, the language in the bill that codifies allowing absences ‘for any reason’ will not help the mindset of a workforce already struggling with improving soft skills.”

For many, the mandated paid time off isn’t necessarily what’s of major concern for businesses; more so, it’s the “for any reason.”

In a story reported by the Associated Press and published recently by MarketBeat.com, Sandy and Dave Schoenborn, who own the Lincoln Theatre in Belleville, said this state mandate that begins in 2024 is of major concern already.

“I’m pretty worried,” Sandy Schoenborn said to the Associated Press. “Unless business gets better, it’s gonna be a strain.”

“I can’t say no. If I have a big event coming up and everybody decides to take off, I’m in a world of hurt,” Schoenborn further noted.

Doug Knight, co-owner of Knight’s Action Park, a Springfield, Ill., amusement park located just a bit north of the St. Louis Metro East region, mainly employs seasonal employees not covered by the measure. But the company will have to provide mandated paid leave for its 10 year-round workers.

Knight said he does his best to take care of his employees without the mandate in place. “If they have a reason, they can take off a day,” Knight told AP. “Car broke down, mom’s sick, gotta take the dog to the vet... they’re all important to the staff. But you can’t close your business because everybody wants to take off cause there’s a concert.”

The pandemic, inflation, utility prices — “it just all seems to be piling up,” and mandatory paid leave is now another hurdle for business owners. “It just drives the cost

up, drives the prices up, and the consumer pays the bill,” Knight pointed out further.

Michael LeRoy, a University of Illinois labor professor, told the Champaign News-Gazette that he thought the law went “too far” with its open-ended paid leave provision and its potential impact on small employers.

LeRoy told the Champaign publication that he was concerned that the new law might further “aggravate the problem of employees being reclassified as independent contractors — resulting in those employees not only losing the new paid-time-off guarantee but also falling outside such current legal protections as earning at least minimum wage and entitlement to workers compensation.”

Attorney-at-Law Thomas E. Berry with the St. Louis-based firm Jackson Lewis P.C. echoed the concerns shared here in his deep dive of SB208’s ultimate impact for the IBJ.

“On first blush, it may be seen (and portrayed) as not creating much of a new burden on employers,” Berry shared, “because most employers already provide either vacation days, sick days and personal days, or, alternatively, combine all such available benefits into a general bank of paid time off (“PTO”) hours, to their full time employees that exceed more than 40 hours of time during a 12-month period.

“There are a number of other statutory requirements to the Illinois paid leave time that exceed most employer policies,” he shared further. “For instance, an employer must front load all 40 hours on Day One of the benefit year if it wants to require employees to use such leave time during the year or lose such hours at the end of the year.

“If an employer does not front load the full 40 hours, i.e., requires the employee to accrue one hour of paid leave time for every 40 hours worked, then such employees are allowed any unused hours to roll over to the next year even though they are precluded from using more than 40 hours of Illinois paid leave during the next benefit year,” Berry continued.

“Thus, employees can potentially roll

over year after year a number of unused Illinois paid leave hours, which potentially can grow to a large bank of time that potentially would have to be paid out in cash to an employee at the time of separation, whether voluntary through resignation or retirement or involuntary through layoff or termination.”

Berry then addressed the “for any reason” verbiage: “...the Illinois paid leave hours may be taken by the employee for any reason. Further, the employer cannot mandate that the employee state a reason for wanting to use any of the accrued Illinois paid leave nor can an employer mandate that the employee must document the need for such Illinois paid leave...an employee has a right to use Illinois paid leave ‘no questions asked.’ Relatedly, the employee has the right to use Illinois paid leave prior to using any other employer provided paid leave hours (whether vacation, sick, personal hours or PTO hours).

Employers will likely need to amend or revise existing policies regarding vacation, sick, personal hours or PTO in order to correlate with the Illinois-mandated paid leave, Berry further noted. “The temptation may be to combine both into a single bank for paid time off. If an employer does so, it will likely have to pay out all accrued but unused hours to the departed employee. If the employer maintains a separate bank of time for Illinois paid leave hours and vacation, sick, personal hours or PTO hours, then it may not have to pay out the accrued but unused Illinois paid leave hours.

“Maintaining separate banks of time, however, will create additional administration responsibilities for employers in order to navigate the separate Illinois statutory requirements for final wage payments along with payment of accrued but unused vacation time of PTO hours if the employer maintains a combined bank of time under its existing policies,” Berry explained further.

Berry also reiterated that this statutory requirement applies to practically all employers. It is not limited to small employers, e.g., employers with less than 15 employees. “Any

employer with one or more employees is covered by these requirements,” he said. “It is undoubtedly rare for a true small employer to have a robust human resources department or HR professional in the organization that is adept to navigate through the seemingly contradictory requirements.”

Another note that Berry touched upon regarding Illinois’ “Paid Leave for All” was that, not only does the statutory requirements to provide Illinois paid leave apply to all employers, large and small, such employers must provide Illinois paid leave benefits, whether or not such employees are full-time employees or part-time employees.

“While an employer working 10 to 20 hours a week will be unable to accrue a full 40 hours each year, this individual is still entitled to accrue Illinois paid leave on the same basis, i.e., one hour of paid leave for every 40 hours worked and can still use paid leave for any reason after working 90 days with the employer,” Berry said.

The Illinois version of the “paid leave for all” is more far-reaching than in the other two states where it already exists. In Illinois, the mandate will apply to all sizes of companies.

Berry concluded our conversation with these additional insights:

“The fact that the Illinois paid leave Act was rushed through the lame duck session created the potential situations for many unintended consequences for all Illinois employers as they try in good faith to administer and implement the requirements of the Act. The fact that Illinois is only the third state on enact paid leave time only exacerbates the problem because there is not any meaningful precedent from other states to review as employers try to administer and implement the requirements of the Act. And of course, imposing a number of administrative requirements on practically all employers in the state will only result in small employers invariably running afoul of the statutory requirements without any bad intent or motive. Many small employers simply lack the internal resources to successfully navigate the statutory requirements.”

## Airshow

**(Continued from page 1)**

The airshow performer line-up includes the U.S. Navy Blue Angels, Tora! Tora! Tora!, Red Bull Team Chambliss, F-22 Demo Team, Randy Ball’s MiG-17, the P-51 Heritage Flight, and the United States Air Force Academy Wings of Blue parachute team.

Team Scott is also paying it forward to the next generation of leaders interested in going into science, technology, engineering, and mathematics career fields. Part of the STEM Expo will feature a ‘recruiting village’ composed of career fields around base. Airmen from various career fields like the explosive ordnance disposal team and Airmen who are taking part in opportunities outside of their career field like the Scott AFB Honor Guard will educate community members as well as future Airmen about opportunities the military offers.

Airmen will also provide insight as subject matter experts on more than 20 static aircraft on the flightline, including many of Air Mobility Command’s assets like the command’s newest air refueler, the KC-46 Pegasus. Other mobility aircraft will also be displayed, including the C-40C, KC-135 Stratotanker, C-130 Hercules, C-5 Galaxy, KC-10 Extender and C-21A.

Lt. Col. Adam Wallace, the airshow director, said, “This is Team Scott’s love letter back to the community. It’s a ‘thank you’ and a ‘come join us’ message that we’re trying to send. We need you to join the team.”

One of the main things that has been fueling this airshow since day one is the determination of organizations across the base, as well as the local community, to create an exciting, safe, and successful airshow and expo.

Ground logistics teams have worked around the clock to organize the layout of the event for more than



Attendees watch the opening ceremony for the centennial air show at Scott Air Force Base, Ill., June 11, 2017. The base hosted the air show and open house to celebrate the 100th year of Scott AFB. Over 50 aircraft, ranging from WWI’s Curtiss JN-4 Jenny to the currently utilized KC-135 Stratotanker, came to Scott, the fourth oldest Air Force base. Demonstrations included the Black Daggers, “Tora, Tora, Tora,” and the USAF Thunderbirds. Opened in 1917 and previously named Scott Field, the base has seen its mission evolve and expand to encompass a multitude of priorities, including aeromedical evacuation and communications. Today, Scott is home to 31 mission partners and provides around-the-clock logistics support and rapid global mobility, carried out primarily by U.S. Transportation Command and Air Mobility Command. (U.S. Air Force photo by Staff Sgt. Clayton Lenhardt)

40 vendors and everything from static displays to the U.S. Air Force’s Band of Mid-America’s performances.

The deputy ground boss, Maj. Aaron Hughes, added, “We have taken best practices from other installations that have recently done airshows and adapted those practices to fit Scott AFB best.”

The ground logistics team, consisting of more than 150 people from every unit within the 375th Air Mobility Wing have split into

smaller Multi-Function Teams to successfully plan and execute airshow operations. For example, to ensure there is minimal frustration while entering and leaving the base, the MFTs have contracted parking passes for the limited parking spots on base and are encouraging attendees to use the Metrolink services and shuttles rather than driving. Members are also collaborating with the Illinois State Police Department to ensure people are safely driving on the highways near the event.

What comes up, must come down and these aircraft are no exception. But with all the aircraft needing a place to go for the event, one team on base must show them the way. The Transient Alert team, led by Bill Murphy, T-Squared Services lead servicer, will meet each plane as they land and direct them to their designated location.

“It’s like we’re setting up a symphony,” said Murphy. “We’re gathering all the pieces together and we’re going to try to make it a fantastic show.”

Each aircraft has special requirements that must be considered during their arrival as well as throughout the airshow. Inter-twining like gears of a clock, TA works hand-in-hand with the Air Traffic Control Tower and ground logistics team to ensure a seamless flow of information and execution for almost every aspect of the airshow.

While Team Scott has invested hundreds of hours to plan the airshow and STEM Expo, an equal amount has been put into safety and emergency response efforts months in advance. Alongside Airmen, local fire departments and Emergency Medical Technicians will be working during the airshow, ready at a moment’s notice.

All this attention to detail and teamwork from Team Scott in the months prior adds up to a one-of-a-kind airshow for the community to reach the next generation.

Wallace said, “I was the kid at airshows, just absolutely in awe and I took that with me my entire childhood, into college and into ROTC. Those memories you make at the airshows, they matter. If we provide that moment to one child and inspire service in them, mission accomplished.”

For more about the May 13-14 airshow, please see [www.scott.af.mil](http://www.scott.af.mil)