

AGENDA

KANKAKEE RIVER METROPOLITAN AGENCY MEETING

Thursday, November 16, 2023

9:00 AM in KRMA Board Room

1600 Brookmont Blvd., Kankakee, IL 60901

- I. **Roll Call**
- II. **Public Comment**
- III. **Approval of Board Minutes**
 - A. October 26, 2023 – Regular Board Meeting
- IV. **Reports**
 - A. Operations & Maintenance Report
 1. Monthly Report (MOR)
 - B. Executive Director Report
 1. Water, Gas & Electric Use/Cost
 2. Hauled in Waste Summary
 3. Operations Report
 - C. Financial Report
 1. Reports
 2. Hauled in Waste Report
 3. Flows Graphs
 - D. Communications
 1. Discussion regarding Brookmont Blvd
- V. **Old Business**
 - A. Bradley Property Update
 1. Timeline for Sale of Bradley Property
 - B. Review and Discussion of RFPs for 401(k) for KRMA Employees
- VI. **New Business**
 - A. Discuss Potential Expansion Options
 - B. Rate Increase for Hauled in Waste 5 to 7%
 - C. Motion to Authorize SKDO, P.C to open an ACH Deposit Account
 - D. An Ordinance Regarding the Paid Leave for All Workers Act for KRMA
- VII. **Executive Session**
 - A. Personnel & Probable or Imminent Litigation
- VIII. **Next Meeting**

Thursday, December 21, 2023 (9:00 AM in KRMA Boardroom)

KANKAKEE RIVER METROPOLITAN AGENCY
MINUTES
October 26, 2023 – 9:00 A.M
1600 W Brookmont Blvd.

In attendance:

Board of Directors:

Mayor Paul Schore, Village of Bourbonnais
Financial Director Robert Romo, Village of Bradley
Alderman Danita Swanson, City of Kankakee
Steven Hunter, Representative, City of Kankakee
Alderman David Crawford, City of Kankakee

Administration:

Dave Tyson, KRMA Executive Director
Karen Benson, Smith, Koelling, Dykstra & Ohm, P.C

Attorney:

Neal Smith, Robbins Schwartz

KRMA Staff:

Arthur Strother, Superintendent
Dustin Scheppler, Asst. Superintendent, Operations
Melanie Gossett, Director of Technical Services

Other:

Dan Small, Strand Associates
Mayor Michael Watson, Alternate, Village of Bradley
Tara Latz, Alternate, Village of Bourbonnais
Terry Memenga, Alternate, Village of Bourbonnais
Elizabeth Kubal, Comptroller of City of Kankakee
Jim Savio, Sikich LLP via www.gotomeeting.com

Vice Chairman, Mayor Schore called the meeting to order.

I. **Roll Call**

Roll Call was taken. All Board members were present, except for Chairman Christopher Curtis, Dir Brian Stump, and Dir Larry Osenga. Alternate Alderman David Crawford, City of Kankakee, sitting in for Director Larry Osenga for deciding vote.

II. **Public Comment**

None

III. **Approval of Board Minutes August 24, 2023 – Regular Board Meeting**

Motion to approve the August 24, 2023, Regular Board Meeting minutes was made by: Dir. Hunter and seconded by Dir Swanson. All board members present voted in favor of, Chairman Christopher Curtis, Dir Brian Stump, and Dir Larry Osenga absent. Motion Carried.

IV. **Presentation of Audit Report from Sikich LLP**

Jim Savio with Sikich gave a presentation on KRMA's 2023 Audit. Jim ended his presentation by stating, great job by Karen, there was no adjustment, no deficiencies, and no material weakness. Dir Romo had a question regarding note four, page 17 as to why our hydraulic flows decreased approximately 14% from 2022 to 2023 and do we get five million gallons of water per day? Karen stated that the numbers are pulled out of the yearly flow report. Art followed up with stating due to the municipalities doing repairs to their sewer collection system the flows have decreased.

V. Reports

A. Operations & Maintenance Report

Monthly Report

Art presented the MOR. Art stated since the municipalities is working on their collection system it has decreased in the average daily flow. Due to the decrease in daily flow, you will see a drop in the BOD, however, it will increase our TSS. Dir Romo asked, what is TSS. Art replied debris pushed off the street. Art gave acknowledgment to the municipalities for repairing their collection system. Exec Dir Tyson asked that the municipalities include any work they do in their CMOM. Dir Hunter asked what impact Gotion new plant in Manteno will have on KRMA. Exec Dir Tyson stated that they have been talking to them, and Gotion will only affect KRMA if Manteno is unable to manage their waste. There was more discussion regarding the Manteno's potential manufacture. Dir Romo stressed some concerns and asked some questions about testing reports he requested from the lab: 20% of BOD is coming from SWD, who responsible for accepting this, what process are we taking to monitor them, and is there any penalization for the strength of their loads. Exec Dir Tyson stated they met with SWD. They are looking at ways to lower BOD before sending it to us or bringing it directly to our plant and allowing it to sit in our holding tank. SWD permit does not require them to pretreat. Exec Dir Tyson also stated the report by the City's lab was an error, it had some problems with it. It is not 20%. Dir Hunter asked what about ammonia? Ammonia is not coming from SWD. Dir Romo also stated KRMA's not testing for ammonia. Where is the ammonia coming from and why aren't we testing for ammonia? Art stated he requested that we test for ammonia. Dir Hunter asked Melanie is there anything on Covid? Melanie responded, the report is in the board packet, and it shows it is trending upward. There was discussion regarding loans and grants for expansion and repairs, since Aqua owns part of the Village of Bourbonnais collection system. Art informed the board that Biobot would also like for us to test for drugs in water and after more discussion with Biobot we will need approval from the board.

B. Executive Director Report

1. Water, Gas & Electric Use/Cost

Exec. Dir. Dave Tyson presented the yearly utility usage. He stated the utilities are right inline. The generator has been backed up and running for a month.

2. Hauled In Waste Summary

Exec. Dir. Tyson stated hauled in waste is down from last month. It looks as if this number will be more consistent moving forward. Therefore, Exec Dir Tyson asked Karen to review and see how this is going to affect our budget. We have reached out to Newton County; however, we have not received any response. We also talked to other haulers to see if they can come directly to KRMA. Art followed up on the increase in our BOD through SWD, stating, SWD takes in surfactants, which are sodium alkylbenzene sulfonates, sodium stearate (soap), and potassium alcohol sulfates. and Verdant take surfactants which are very high on BOD. We take it; however, we bleed it slowly.

3. Operations Report

Exec Dir Dave Tyson acknowledges Superintendent Arthur Strother 38 years of service with KRMA.

C. Financial Report

1. Reports

Karen presented the financial statements, stating the statement of net position is steady and consistent. Statement of Revenue/Expenses/Changes of Net Position, she references the annual percentage column showing where we are at five months within the fiscal year.

2. Hauled In Waste Report

Karen presented the hauled in waste analysis, showing the projected hauled in waste income, showing the revenue will show a decrease for this year and next year therefore, the contribution will increase.

3. Flows Graphs

Karen presented the flows report giving more detailed information on how the auditor pulled their numbers regarding the flows.

D. Communications

None

VI. Old Business

A. Bradley Property

Mayor Watson stated the dialog is in the court of City of Kankakee and/or KRMA. The Village of Bradley raised issues and they want them addressed.

1. Timeline for Sale of Bradley Property

None

B. **Kimley-Horn/Bradley Report**

Dir Romo informed the board that Kimley-Horn's Phase II has been put on hold until we finish Phase I issues.

VII. **New Business**

A. **Approval of Audit Report**

Motion to approve the Audit Report was made by Dir Swanson and seconded by Dir Romo. All board members and alternates David Crawford present voted in favor and Chairman Christopher Curtis, Dir Brian Stump and Dir Larry Osenga absent. Motion Carries.

B. **Review and Discussion of RFPs for 401(k) for KRMA Employees**

Exec Dir Tyson presented the RFPs for the 401(k). The RFPs have been given to Karen for review and the Union Rep. Exec Dir Tyson stated that Faber Financials cost is the lowest.

C. **Review and Consideration of 2024 Agenda and Board Meeting Dates**

Motion to approve the Agenda and Board Meeting Dates was made by Dir Swanson and seconded by Dir Hunter. All board members and alternates David Crawford present voted in favor and Chairman Christopher Curtis, Dir Brian Stump and Dir Larry Osenga absent. Motion Carries.

VIII. **Executive Session**

A. **Personnel & Probable or Imminent Litigation**

Motion to go into Executive Session to discuss Personnel, and probable or imminent litigation pursuant to Sections 2(c)(11) of the open meetings act, was made by: Dir. Hunter and seconded by: Dir. Romo. Motion carried.

Roll call was taken, and all board members were present and Alternate David Crawford sitting in for Dir Larry Osenga, except Chairman Christopher Curtis, Dir Brian Stump and Dir Larry Osenga absent.

The Board went into Executive Session.

Motion to exit Executive Session was made by Dir. Hunter and seconded by Dir Swanson. Motion carried.

Motion to return to Open Session was made by Dir. Crawford and seconded by Dir Romo. Motion carried.

With the Board back in open session there was no action taken.

IX. **Next Meeting**

Next Regular Board Meeting- **Thursday, November 16, 2023 (9:00 A.M. at KRMA Board Room)**

Motion to Adjourn was made by: Dir Swanson and seconded by Dir Hunter. Motion Carried.

KRMA

Kankakee River Metropolitan Agency

Providing Wastewater Treatment to the Kankakee River Valley



Monthly Operations Report

October 2023

KRMA's OCTOBER HIGHLIGHTS:

The Kankakee River Metropolitan Agency is experiencing lower flows and loadings over the last couple of months. The most probable cause for this change is due to the maintenance of the sewer collection system performed by the Village of Bradley and the City of Kankakee, pretreatment by CSL Behring, and no receivable of Newton County leachate. The Agency will continue to collect data to support this belief.

The facility O&M specialists continue to ensure proper operation of equipment and making the proper process control adjustments to meet the Illinois Environmental National Pollutant Discharge Permit for KRMA.

The month of October, the Agency had no violation of the NPDES (National Pollutant Discharge Elimination System) permits.

1.0 WASTEWATER TREATMENT FACILITY OPERATION

Attachment A Details the monthly operational information for the facility.

2.0 INFLUENT FLOW

Table 2.1 Summarizes total flow and average daily flow to the facility from each municipality.

Attachment B for details of daily flow rates.

Table 2.1
Plant Flows

Municipality	Plant Influent	Kankakee	Bourbonnais	Bradley	Aroma Park
Total Flow (MGD)	392.24	218.67	120.035	52.360	1.168
Daily Average Flow (MGD)	12.65	7.05	3.872	1.689	0.038

3.0 EFFLUENT QUALITY

Table 3.1 Summarizes the effluent quality data.

Table 3.1
Effluent Quality

	IEPA Limits	Effluent Average
Biochemical Oxygen Demand (BOD) – Monthly Average	20 mg/l	4 mg/l
Total Suspended Solids (TSS) - Monthly Average	25 mg/l	14 mg/l
PH	6-9 SU	6.93 SU
Chlorine Residual	0.05 mg/l	0.012 mg/l
Fecal Coliform	400/100 ml	36/100 ml

ODOR ISSUES:

- There were no odor complaints registered at the KRMA facility in October.
- There were no odor complaints registered at the East Gate site in October.

4.0 PERSONNEL

The Agency would like to say HAPPY BIRTHDAY to all the employees born in October.

Employees continue to follow the COVID-19 Warning signs and Safety Tips. One of the best ways to help keep workers healthy is to stay home **except for** necessary outings, and when you do go out for the necessities, there are steps you can take to minimize the risk of spreading illness.

5.0 MAINTENANCE AND REPAIR

Number of Work Orders Closed for the Month: 1116
Hours of Scheduled Work Orders Performed: 643.3

6.0 SLUDGE HANDLING

Start Date: 10/01/2023
End Date: 10/31/2023

Gallons of sludge produced and sent to thickening:	2,457,211.00
Gallons of sludge put into storage after thickening:	754,200.00
Sludge removed from the plant for land application:	273,600.00
Sludge remaining in storage:	2,455,000.00

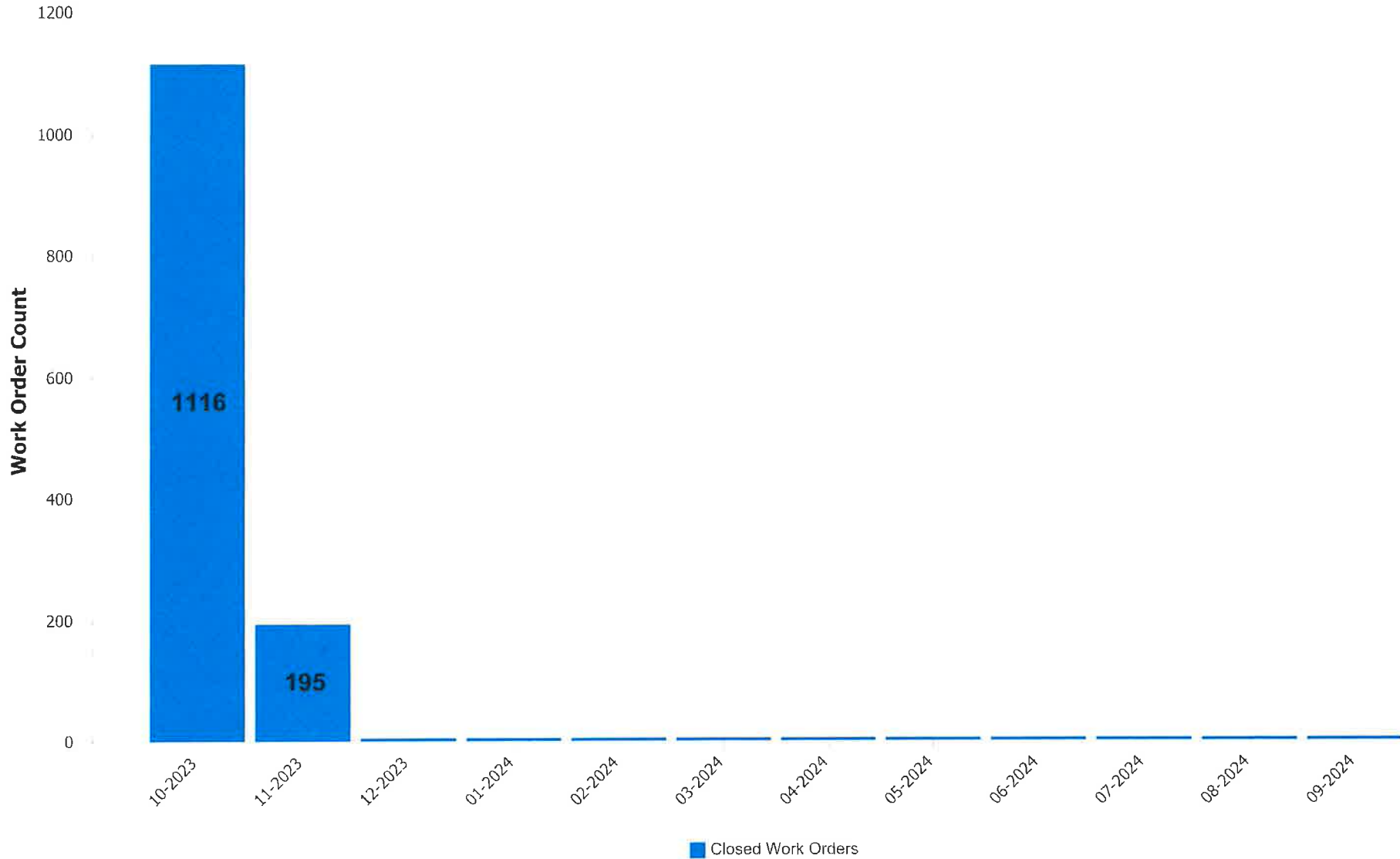
7.0 WATER USAGE

OCTOBER 2023 (30 DAYS): 36,869 CU FT= 275,800 GALS. = \$2627.85

NUMBER OF DAYS IN THE BILLING CYCLE: 30

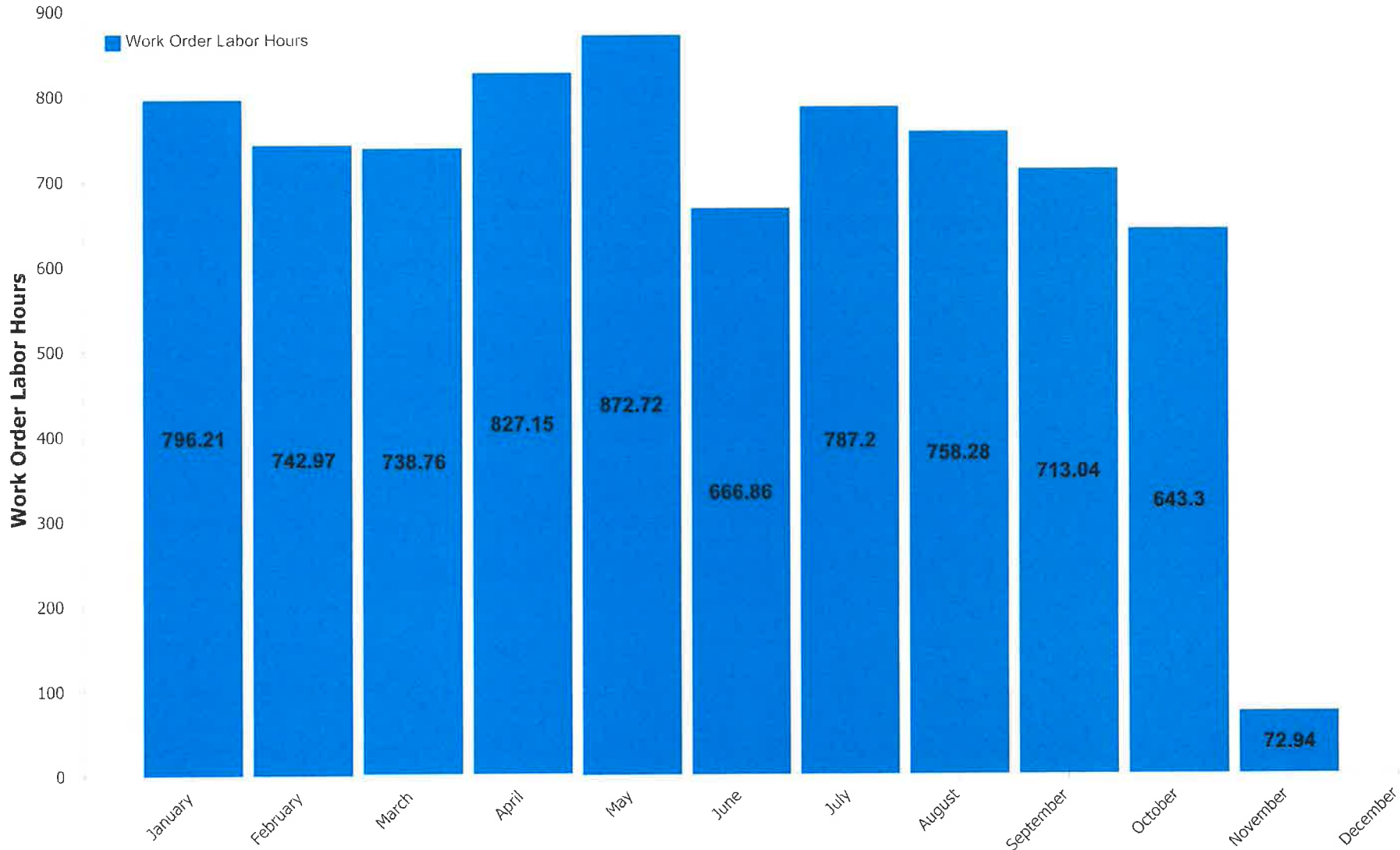
Work Orders Closed By Month

From October, 2023 to September, 2024



Work Order Labor Hours by Month

2023



KANKAKEE RIVER METRO AGENCY Wastewater Report, October 2023

For updates on your plant in-between these monthly reports, please visit our wastewater dashboard <https://iwss.uillinois.edu>

LOCATION: KANKAKEE RIVER METRO AGENCY (Kankakee County)

Catchment Information

Population Served	56,317
NPDES	IL0021784
zipcode	60901
IL Covid Region	7

SARS-CoV-2 LEVELS IN WASTEWATER

Wastewater is analyzed using digital PCR (dPCR) to determine the concentration of the SARS-CoV-2 virus in a sample. The nucleocapsid protein (N) gene of the virus is targeted in the assay, and results are reported in gene copies per liter of starting wastewater.

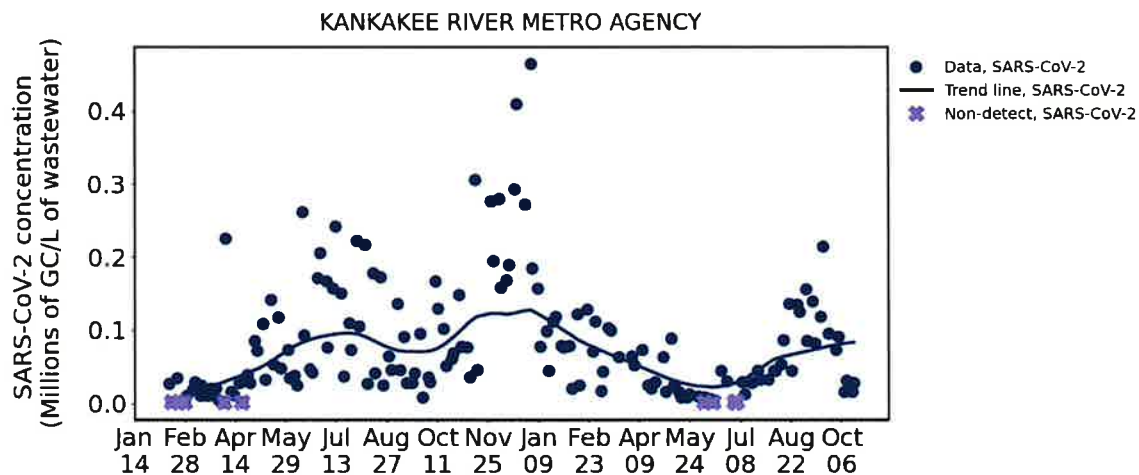


Figure 1. Time series plot of SARS-CoV-2 viral concentrations in millions of gene copies per liter (GC/L) of wastewater.

SARS-CoV-2 SAMPLING RESULTS - LAST 8 SAMPLES

Date	SARS-CoV-2 (GC/L)
2023-10-18	27,900
2023-10-16	16,500
2023-10-11	30,975
2023-10-09	16,500



DISCOVERY PARTNERS INSTITUTE
PART OF THE UNIVERSITY OF ILLINOIS SYSTEM

2023-10-04	91,050
2023-10-02	73,875
2023-09-25	95,100
2023-09-20	214,425

SARS-CoV-2 LINEAGES IN WASTEWATER

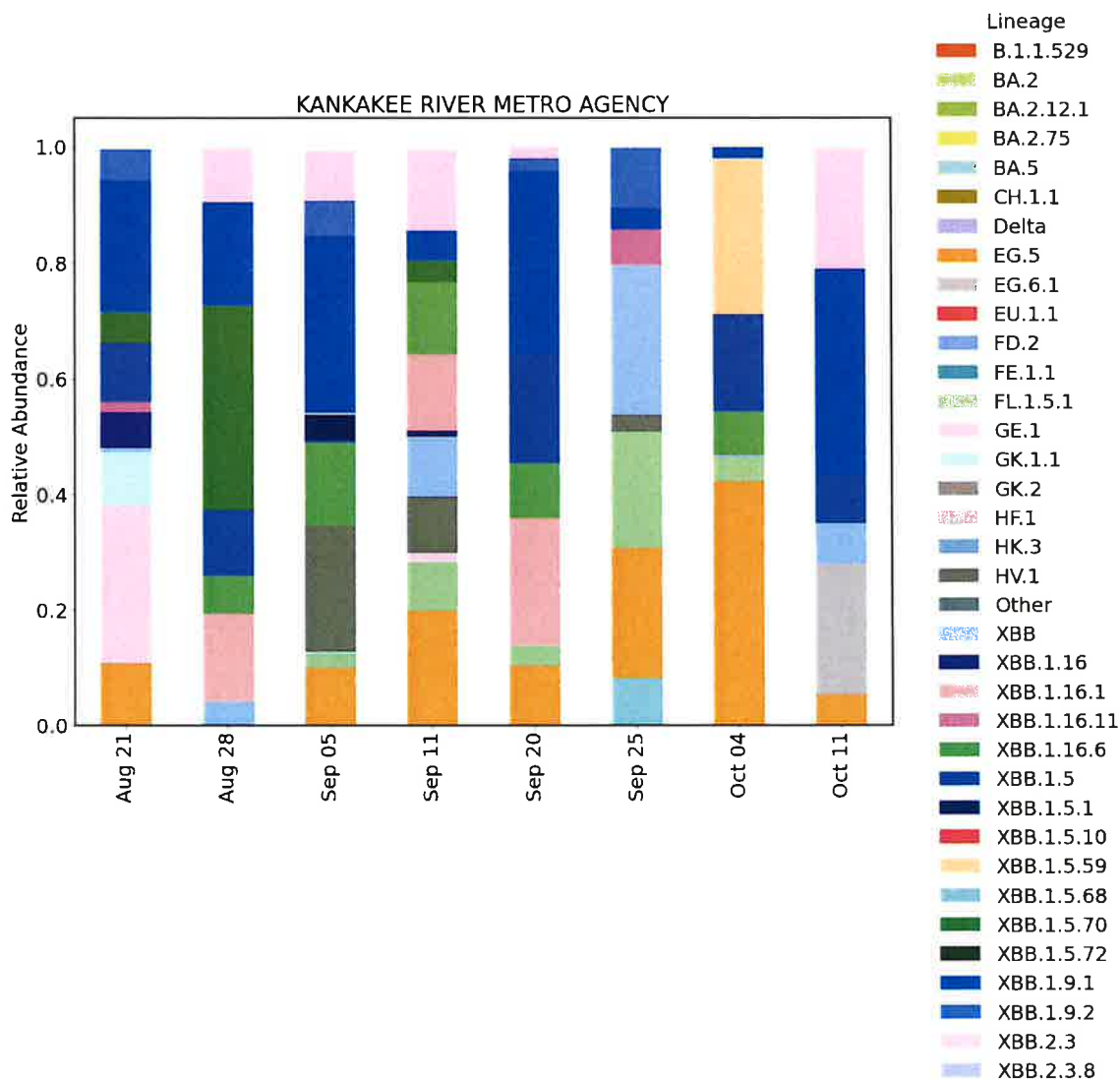


Figure 2. Stacked barplot showing the relative abundances of SARS-CoV-2 lineages in wastewater samples. All lineages in the legend, excluding "Other," are associated with Omicron. The most recently available two months worth of data are shown.

INFLUENZA A/B LEVELS IN WASTEWATER

Wastewater is analyzed using digital PCR (dPCR) to determine the concentration of influenza A and influenza B viruses in a sample. Results are reported in gene copies per liter of starting wastewater.

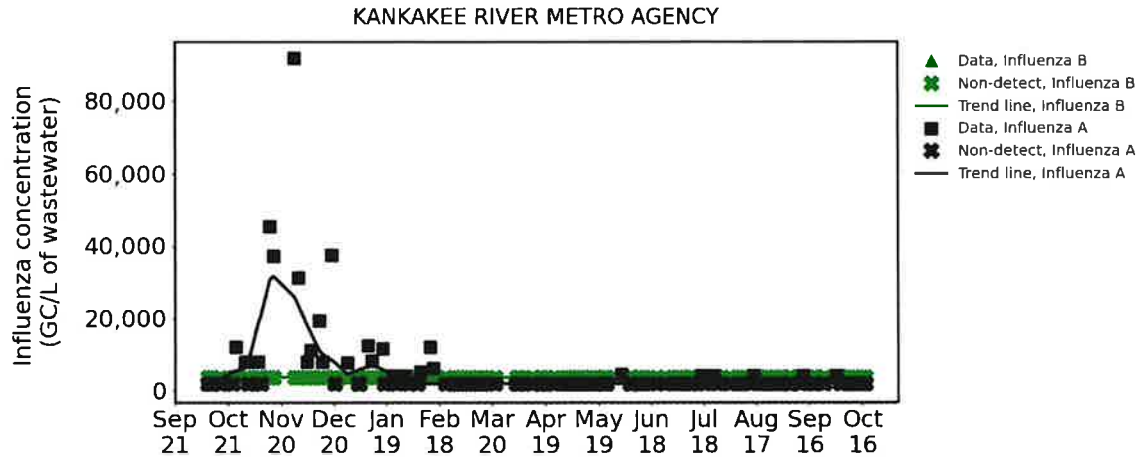


Figure 3. Time series plot of Influenza A/B viral concentrations in gene copies per liter (GC/L) of wastewater.

INFLUENZA A/B SAMPLING RESULTS - LAST 8 SAMPLES

Date	Influenza A (GC/L)	Influenza B (GC/L)
2023-10-18	Non-detect	Non-detect
2023-10-16	Non-detect	Non-detect
2023-10-11	Non-detect	Non-detect
2023-10-09	Non-detect	Non-detect
2023-10-04	Non-detect	Non-detect
2023-10-02	4,125	Non-detect
2023-09-25	Non-detect	Non-detect
2023-09-20	Non-detect	Non-detect

RSV LEVELS IN WASTEWATER

Wastewater is analyzed using digital PCR (dPCR) to determine the concentration of Respiratory Syncytial Virus (RSV) in a sample. Results are reported in gene copies per liter of starting wastewater.

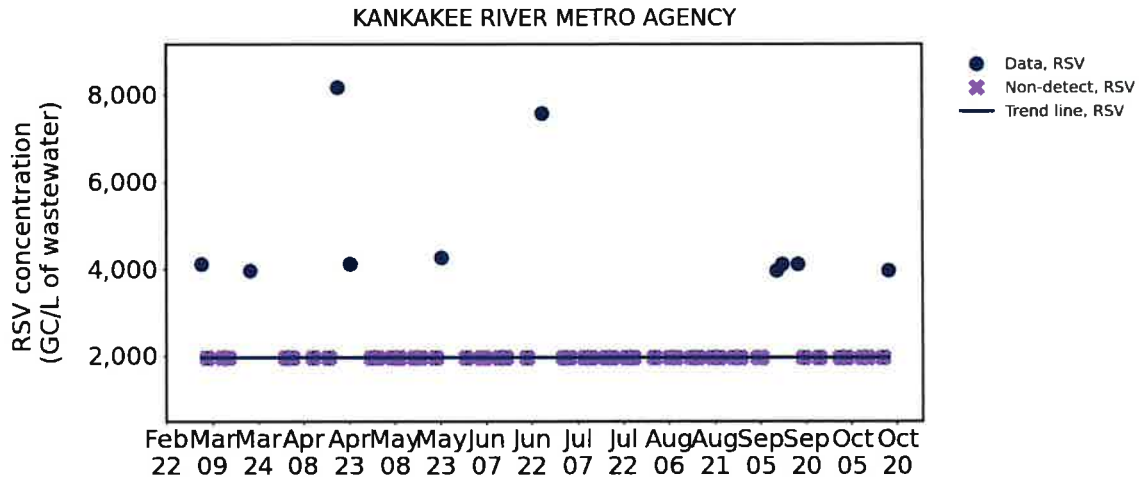


Figure 4. Time series plot of RSV viral concentrations in gene copies per liter (GC/L) of wastewater.

RSV SAMPLING RESULTS - LAST 8 SAMPLES

Date	RSV (GC/L)
2023-10-18	3,975
2023-10-16	Non-detect
2023-10-11	Non-detect
2023-10-09	Non-detect
2023-10-04	Non-detect
2023-10-02	Non-detect
2023-09-25	Non-detect
2023-09-20	Non-detect

Guide to Interpreting Data on SARS-CoV-2, Influenza, & Respiratory Syncytial Virus (RSV) Gene Copies in Wastewater Samples

What do the results mean?

There are several factors to consider when interpreting viral data in wastewater. The rate, magnitude, and duration of shedding may vary from one person to another and from virus to virus, thus how or even whether it is possible to translate viral levels in wastewater into precise community health metrics is an open scientific question. It is only appropriate to monitor and observe the trends of viral gene copies detected in a community over time. The data presented in tables, graphs, and trend assessments show the concentration of RNA copies in the wastewater area from the community where the wastewater was collected. A significant increase in viral gene copies over time is an indicator that cases may be increasing in the community. Wastewater data should not be interpreted in isolation but rather considered alongside other public health metrics.

What does the number that is reported on a sample day mean?

It is a measure of how many gene copies are present in a sample, typically reported as gene copies per liter of wastewater (GC/L). Samples are typically obtained from municipal wastewater treatment plants and reflect inputs of viral material shed by the community served by the treatment plant. This number does not indicate gene copies per person or population.

How are the gene copies measured in the wastewater?

Wastewater samples are first processed to concentrate and isolate genetic material (RNA) that is present in the sample. RNA sequences specific to SARS-CoV-2, influenza A & B, and RSV are then detected and quantified using a molecular biology tool called digital polymerase chain reaction (dPCR). During dPCR, a targeted segment of the RNA is converted to DNA and then amplified (copied many times) so it can be detected by laboratory instruments. Specific methods for sample processing and PCR-based quantification differ among wastewater monitoring projects and analytical laboratories.

What does it mean if a data point for a sample is 0 or a non-detect?

A non-detect means that the amount of SARS-CoV-2, influenza, or RSV RNA in the wastewater sample is below the level that can be reliably detected by the quantification methods used in a given laboratory. A determination of non-detect does not necessarily mean that no viral RNA is present in the sample or in the system – rather that the levels are low enough that they cannot be reliably determined. In some cases, other components of wastewater may interfere with individual measurements, leading to an incorrect non-detection similar to false negatives that can occur from at-home and clinical testing. A non-detect does not necessarily mean that there are no infected individuals within the associated community.

What is the viral gene copy trend line?

The trend line is calculated using Locally Weighted Scatterplot Smoothing (LOWESS), a local regression analysis. It allows us to see the change in trend over time by fitting a curve to the data. This method is useful because it reduces the influence of outliers, and wastewater data can be highly variable. LOWESS is a more complex extension of the moving average.



DISCOVERY PARTNERS INSTITUTE
PART OF THE UNIVERSITY OF ILLINOIS SYSTEM

Does the number of gene copies in a sample tell us how many people are sick?

There are not presently agreed-upon methods for translating concentration of SARS-CoV-2, influenza, or RSV genetic material in wastewater into a measure of how many people, or even what percentage of a community, have COVID-19, flu, or RSV, respectively. Variability between different wastewater sources, treatment facilities, and communities makes it difficult to translate the SARS-CoV-2, influenza, or RSV concentrations into a measure of how many people are infected in the community. However, an upward or downward trend in viral gene copies per liter of wastewater generally suggests a similar trend in the number of people infected within a given community.

Can I compare the number of gene copies in a sample from site to site?

Because each community has a different mix of wastewater inputs, different populations, and different wastewater systems, it is not appropriate to compare viral gene copy numbers among communities. Instead, trends in SARS-CoV-2, influenza, or RSV concentrations from a specific community over time can be used to help understand whether cases or hospitalizations are likely to increase or decrease in the community. Sample collection methods and mechanisms, collection times, and sample variability are other factors that discourage cross-site comparison.

Can I compare the gene copies of different pathogens to one another?

Because each pathogen is distinct, it is not appropriate to compare their viral gene copy numbers, even at the same site. Instead, trends in SARS-CoV-2, influenza, or RSV concentrations (increasing/decreasing) can be used to understand if cases or hospitalizations for each pathogen are likely to increase or decrease in the community.

Guide to Interpreting Data on SARS-CoV-2 Lineages in Wastewater Samples

What are lineages and how are they determined?

Wastewater is sequenced to determine the variants of SARS-CoV-2 virus present in a sample, a proxy for circulating variants in the community. Our sequencing strategy utilizes the entire genome of SARS-CoV-2 to identify mutations that are diagnostic of variants of the virus. Full genome coverage gives us better resolution for distinguishing variants, especially those very similar to each other. Variant names and lineage relationships are determined by the World Health Organization (WHO).

Variant: A genome that contains a particular set of mutations.

Mutation: A change in the genetic information introduced during viral replication.

Lineage: A collection of variants all related to each other based on analysis of the virus genomic sequence.

What is the sequencing plot showing me?

This plot is displaying the relative abundance, or proportion, of lineages found in a wastewater sample collected on a particular date. This plot was generated after comparing sample

sequences to a SARS-CoV-2 reference genome and identifying characteristic mutations that are associated with different variants. We then calculate the percentage of each variant present in the sample. This plot summarizes the variant detections; lineages are displayed, as there are often many variants detected that are in the same lineage.

What do the results mean?

The SARS-CoV-2 variants identified in a particular plant's wastewater can provide insight into the variants circulating in the population that the plant serves. This information can be useful, as there tend to be fewer clinical sequences, and those might only reflect a small proportion of the community feeling sick enough to pursue testing. The wastewater samples passively capture the virus shed in wastewater from the community where the wastewater was collected, not just those who are symptomatic. Wastewater data is not interpreted in isolation but rather considered alongside other public health metrics.

Does the number or type of lineages tell us how many people are sick?

We cannot tell how many people are sick from the lineages observed in the wastewater. We can only see relative proportions of the variants that are present in the community served by the wastewater treatment plant. We do pay attention to specific mutations that have been identified as having clinical implications (e.g., for effectiveness of medications or disease severity).

Can I compare the lineages in a sample from site to site?

Yes. We often detect variants in a particular plant first, and then see the relative abundance change over time, with certain lineages becoming more prevalent across the state from plant to plant. We compare these detections to sequence data from across the United States and the world.

Why are the dates of the sequencing data not as current as the gene copies data?

Sequencing results are available about two weeks after sample collection. This is because the quantification of SARS-CoV-2 levels by dPCR happens first, and then genetic material (RNA) is sent for sequencing. Additionally, samples then take multiple days to run on the sequencer and computational processing of sequences takes additional time before results are available.

Why do the lineages in the legend change periodically?

The lineages shown in the sequencing plot of this report are in alignment with the CDC's national genomic surveillance system. As the SARS-CoV-2 virus mutates, new variants emerge. This means there are regularly new variants that contribute to the spread of COVID-19. Some variants will disappear while others will continue to spread and even replace others as the dominant variant. These monthly reports reflect those changes as we continue to monitor for emerging variants of concern.

ATTACHMENT

A

DMR Monthly Report

10/1/2023 to 10/31/2023

Var #	452	159	119	236	454	351	113	237	386
	EFF FLOW	001 Eff pH	FINAL EFF TSS	Weekly ave Eff TSS	EFF TSS	WeeklyAveEffTSS	EFF-C-BOD	Weekly Ave EffCBOD	EFF C-BOD
Date	MGD	STD UNIT	mg/L	MG/L	LBS/D	LBS/Day	mg/l	MG/L	lbs\day
10/1/2023	9.195		7		537		3		230
10/2/2023	8.912	6.94	8		595		4		297
10/3/2023	8.955	6.93	6		448		7		523
10/4/2023	8.907	6.94	9		669		4		297
10/5/2023	14.105	6.97	21		2,470		5		588
10/6/2023	14.947	6.86	7		873				
10/7/2023	11.295		8	9	754	906	3	4	283
10/8/2023	10.372		12		1,038		3		260
10/9/2023	10.112	6.84	10		843		5		422
10/10/2023	10.200	6.92	15		1,276		6		510
10/11/2023	9.921	6.76	24		1,986		5		414
10/12/2023	17.835	6.90	25		3,719		7		1,041
10/13/2023	18.727	6.74	6		937				
10/14/2023	17.919		14	15	2,092	1,699	3	5	448
10/15/2023	16.960		9		1,273		3		424
10/16/2023	14.021	7.04	15		1,754		6		702
10/17/2023	13.062	7.02	13		1,416		5		545
10/18/2023	12.562	6.99	19		1,991		4		419
10/19/2023	11.942	7.00	16		1,594		4		398
10/20/2023	12.506	6.89	9		939				
10/21/2023	12.555		16	14	1,675	1,520	4	4	419
10/22/2023	11.620		16		1,551		3		291
10/23/2023	10.953	7.11	15		1,370		3		274
10/24/2023	10.886	6.99	18		1,634		4		363
10/25/2023	10.934	7.04	21		1,915		5		456
10/26/2023	12.585	6.88	22		2,309		4		420
10/27/2023	13.533	6.97	15		1,693				
10/28/2023	13.352		16	18	1,782	1,751	4	4	445
10/29/2023	14.289		15		1,788		4		477
10/30/2023	15.280	6.91	13		1,657		5		637
10/31/2023	13.795	6.89	17		1,956		5		575

Minimum	8.907	6.74	6	9	448	906	3	4	230
Maximum	18.727	7.11	25	18	3,719	1,751	7	5	1,041
Average	12.653	6.93	14	14	1,501	1,469	4	4	450
Sum	392.237	152.53	437	56	46,531	5,876	118	17	12,158

Limit		Range 6-9	25	45	9383	16889	20	40	7506
--------------	--	------------------	-----------	-----------	-------------	--------------	-----------	-----------	-------------

DMR Monthly Report

10/1/2023 to 10/31/2023

Var #	352	187	191	401	101	450	115	451	455
	WeeklyAverageEffCBOD	001 EFF CL2	FECAL COLI 001	TOTAL INF FLOW	INFLUENT BOD	INF BOD LOAD	INFLUENT TSS	INF TSS	BOD REMOVAL
Date	LBS/Day	mg/L	#/100ml	MGD	mg/L	LBS/D	mg/L	LBS/D	%
10/1/2023				9.20	178	13,650	162	12,423	98
10/2/2023		0.008	7	8.91	157	11,669	280	20,811	97
10/3/2023		0.010	5	8.96	214	15,983	204	15,236	97
10/4/2023		0.011	8	8.91	233	17,308	221	16,417	98
10/5/2023		0.015	24	14.11	170	19,998	300	35,291	97
10/6/2023		0.018	5	14.95			124	15,458	
10/7/2023	370			11.30	189	17,804	226	21,289	98
10/8/2023				10.37	187	16,176	350	30,276	98
10/9/2023		0.005	8	10.11	242	20,409	164	13,831	98
10/10/2023		0.003	25	10.20	161	13,696	76	6,465	96
10/11/2023		0.015	32	9.92	327	27,056	650	53,782	98
10/12/2023		0.009	176	17.84	122	18,147	274	40,756	94
10/13/2023		0.006	11	18.73			354	55,289	
10/14/2023	516			17.92	60	8,967	210	31,383	95
10/15/2023				16.96	64	9,053	230	32,533	95
10/16/2023		0.018	72	14.02	272	31,806	346	40,460	98
10/17/2023		0.008	1	13.06	194	21,134	926	100,876	97
10/18/2023		0.010	23	12.56	196	20,534	660	69,146	98
10/19/2023		0.016	48	11.94	161	16,035	356	35,456	98
10/20/2023		0.016	35	12.51			167	17,418	
10/21/2023	484			12.56	210	21,989	274	28,690	98
10/22/2023				11.62	166	16,087	216	20,933	98
10/23/2023		0.018	57	10.95	129	11,784	184	16,808	98
10/24/2023		0.018	35	10.89	139	12,620	262	23,787	97
10/25/2023		0.015	50	10.93	148	13,496	270	24,621	97
10/26/2023		0.016	45	12.59	124	13,015	176	18,473	97
10/27/2023		0.012	21	13.53			178	20,090	
10/28/2023	375			13.35	165	18,374	222	24,721	98
10/29/2023				14.29	124	14,777	169	20,140	97
10/30/2023		0.002	47	15.28	145	18,478	196	24,977	97
10/31/2023		0.005	55	13.80	360	41,418	170	19,559	99

Minimum	370	0.002	1	8.91	60	8,967	76	6,465	94
Maximum	516	0.018	176	18.73	360	41,418	926	100,876	99
Average	436	0.012	36	12.65	179	17,832	277	29,271	97
Sum	1,745	0.254	790	392.24	4,837	481,462	8,597	907,393	2,627

Limit	15012	0.05	400						
--------------	--------------	-------------	------------	--	--	--	--	--	--

DMR Monthly Report

10/1/2023 to 10/31/2023

Var #	456	1040	1041	1042	1043	255	297	953	1023
	TSS REMOVAL	North Effluent DO - SCADA	South Effluent DO - SCADA	Daily Average Effluent DO	Effluent DO weekly average	FINAL EFF NH3N	Eff Nitrogen #	Eff_Total Phosphoru s- TP(TNT)	Effluent Total Nitrogen
Date	%	mg/l	mg/l	mg/l	mg/l	mg/L	#/day	mg/l	mg/l
10/1/2023	96	7.14	10.00	8.57		0.12	9.51	0.24	11.14
10/2/2023	97	7.20	10.00	8.60		0.20	14.87	0.28	
10/3/2023	97	7.18	10.00	8.59		0.22	16.43	0.39	
10/4/2023	96	7.11	10.00	8.56		0.23	16.86	0.38	
10/5/2023	93	6.99	9.55	8.27		1.65	194.10	0.52	
10/6/2023	94	7.33	10.00	8.67					
10/7/2023	96	7.46	10.00	8.73	8.57				
10/8/2023	97	7.45	10.00	8.73		0.05	4.33	1.19	
10/9/2023	94	7.29	9.40	8.35		0.05	4.22	1.82	
10/10/2023	80	7.11	8.55	7.83		0.11	9.53	1.58	11.88
10/11/2023	96	7.23	9.94	8.59		0.08	7.01	0.95	
10/12/2023	91	6.94	7.81	7.38		0.58	85.68	0.64	
10/13/2023	98	7.19	8.93	8.06					
10/14/2023	93	7.24	8.09	7.67	8.08				
10/15/2023	96	7.70	10.00	8.85		0.05	7.07	0.22	
10/16/2023	96	7.76	9.57	8.67		0.60	69.81	2.82	
10/17/2023	99	7.42	7.54	7.48		0.05	5.45	2.36	9.16
10/18/2023	97	7.55	9.90	8.73		0.05	5.24	0.18	
10/19/2023	96	7.44	8.87	8.16		0.17	16.93	0.24	
10/20/2023	95	7.23	7.24	7.24					
10/21/2023	94	7.34	7.28	7.31	8.06				
10/22/2023	93	7.66	9.12	8.39		0.14	13.86	0.48	8.70
10/23/2023	92	7.73	9.56	8.65		0.13	12.06	1.62	
10/24/2023	93	7.58	9.29	8.44		0.23	20.70	0.92	
10/25/2023	92	7.48	10.00	8.74		0.39	35.29	0.78	
10/26/2023	88	7.34	10.00	8.67		0.18	18.68	0.48	
10/27/2023	92	7.40	10.00	8.70					
10/28/2023	93	7.63	10.00	8.82	8.63				
10/29/2023	91	7.74	10.00	8.87		0.05	5.96	0.72	6.34
10/30/2023	93	7.89	9.86	8.88		0.05	6.37	1.88	
10/31/2023	90	7.95	9.99	8.97		0.05	5.75	1.24	

Minimum	80	6.94	7.24	7.24	8.06	0.05	4.22	0.18	6.34
Maximum	99	7.95	10.00	8.97	8.63	1.65	194.10	2.82	11.88
Average		7.41	9.37	8.39	8.34	0.24	25.47	0.95	9.44
Sum	2,907	229.70	290.49	260.10	33.34	5.43	585.69	21.93	47.22

Limit				min >4.0	>4.5	7.9	2965		
				avg >6.0					

DMR Monthly Report

10/1/2023 to 10/31/2023

Var #
Date
10/1/2023
10/2/2023
10/3/2023
10/4/2023
10/5/2023
10/6/2023
10/7/2023
10/8/2023
10/9/2023
10/10/2023
10/11/2023
10/12/2023
10/13/2023
10/14/2023
10/15/2023
10/16/2023
10/17/2023
10/18/2023
10/19/2023
10/20/2023
10/21/2023
10/22/2023
10/23/2023
10/24/2023
10/25/2023
10/26/2023
10/27/2023
10/28/2023
10/29/2023
10/30/2023
10/31/2023

1044	1048	1045	102	116	1046	1047
Fecal Coliform at EQ Basin	EQ Basin Residual Chlorine	EQ Basin pH	EQ Basin BOD	EQ Basin TSS	EQ Basin Ammonia Nitrogen	EQ Basin Total Phosphorus
col/100ml	mg/l		mg/L	mg/L	mg/l	mg/l

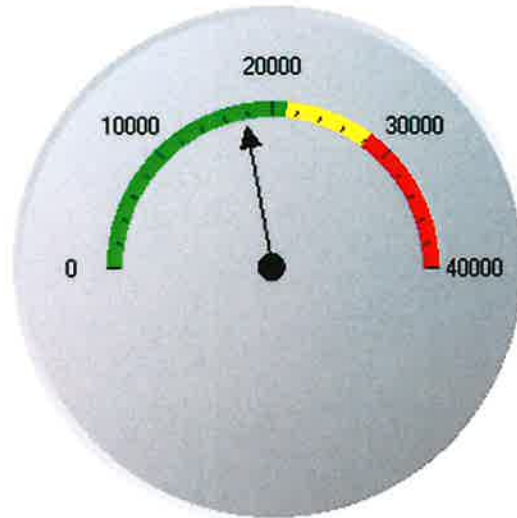
Minimum
Maximum
Average
Sum

400	0.75	Range 6-9				
------------	-------------	------------------	--	--	--	--

Influent BOD loading Lbs - Monthly AVG

17,832 Lbs./Day

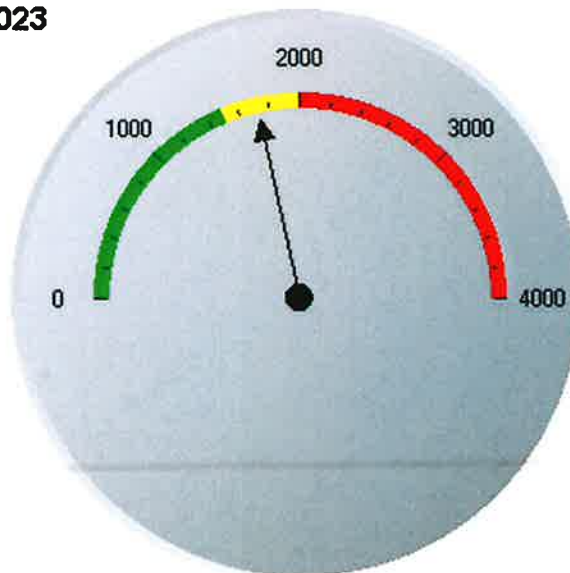
10/01/2023 - 10/31/2023



Influent NH3 loading Lbs - Monthly AVG

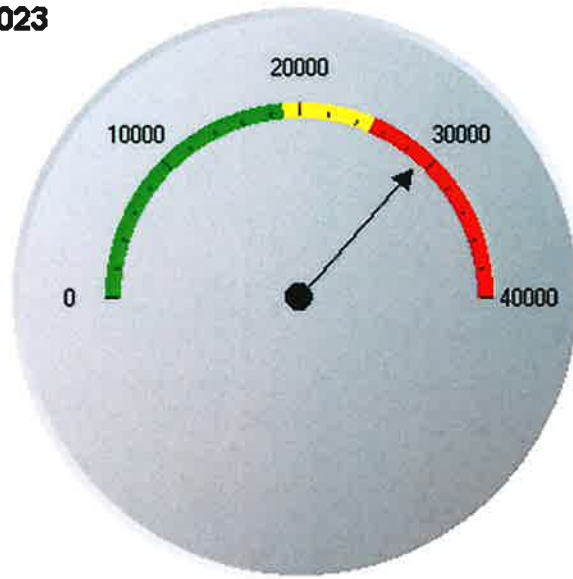
1,731 Lbs./Day

10/01/2023 - 10/31/2023



Influent TSS loading Lbs - Monthly AVG
10/01/2023 - 10/31/2023

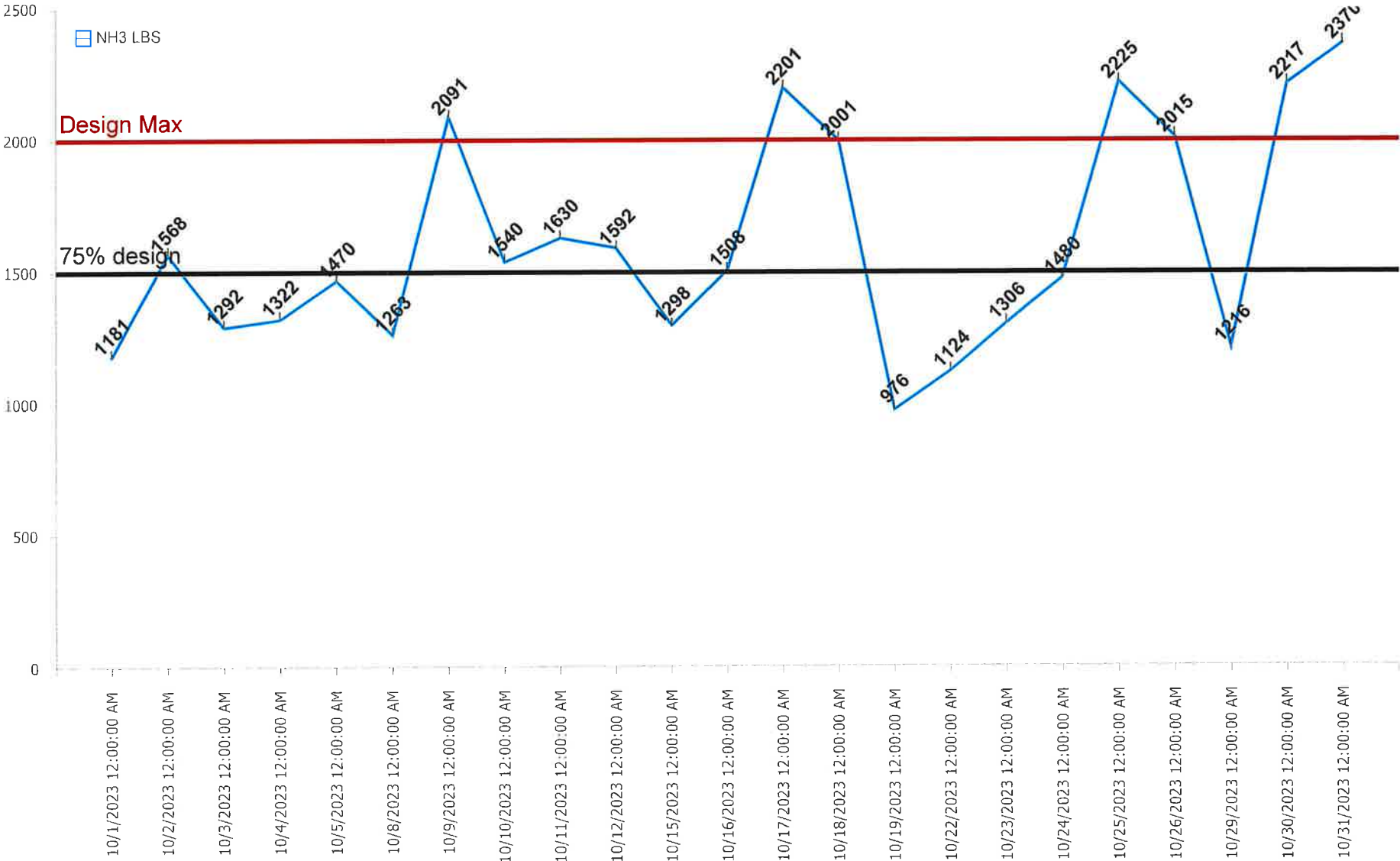
29,271 Lbs./Day



0 to 18900 - Target Loading
18900 to 25200 - Above 75% Threshold
Above 25200

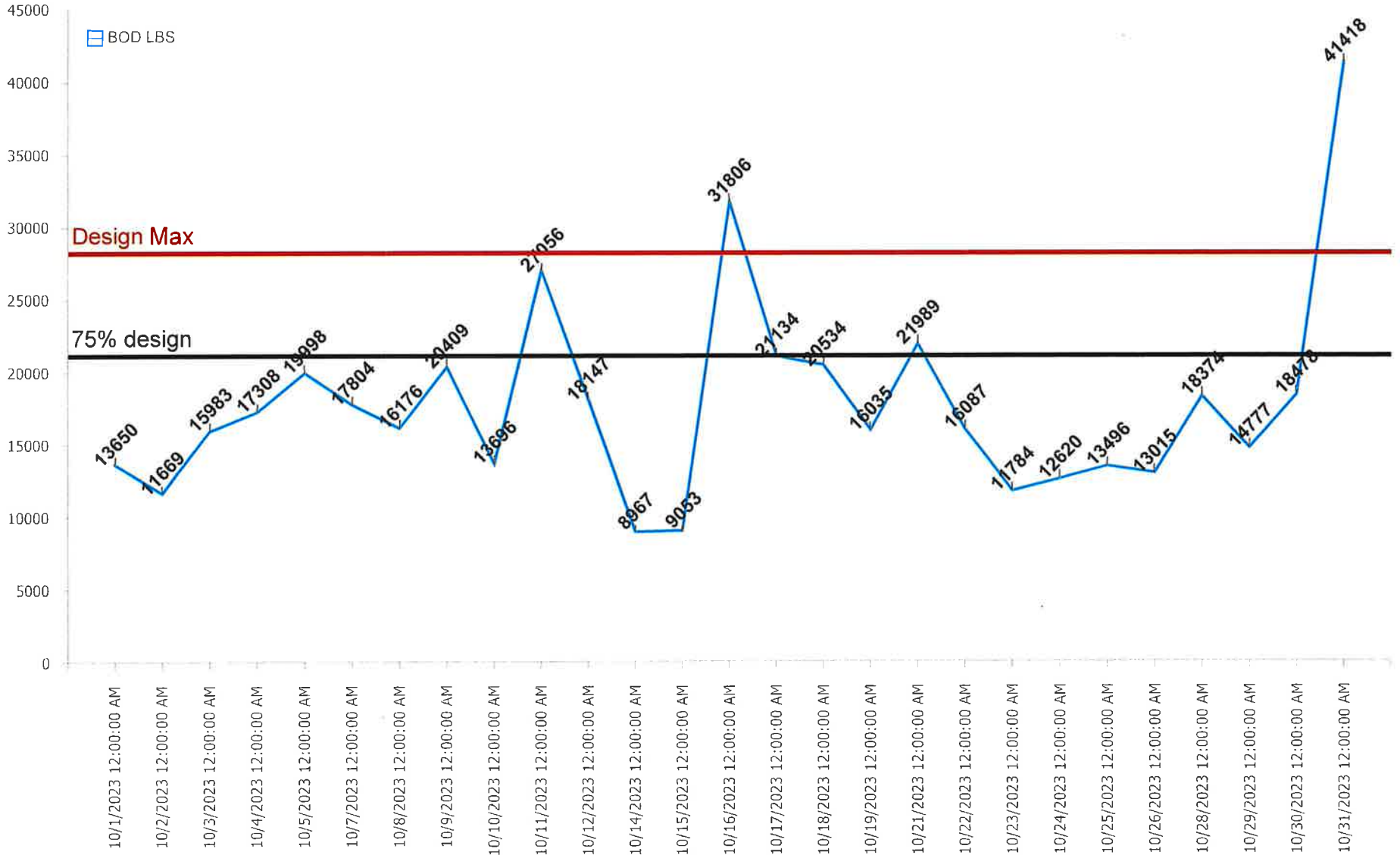
KRMA influent NH3 pounds

Average Lbs. NH3: 1,603.74



KRMA influent BOD pounds

Average Lbs. BOD: 17,831.96



ATTACHMENT

B

ATTACHMENT

C



SAFETY MEETING
November 9, 2023
9am & 1pm
Agenda

I. Safety Minutes

Review minutes from October 2023.

II. Old Business

There were no lost time accidents for the month of October 2023.

I. New Business

A. Safety Training

Annual CPR/Basic First Aid training provided by CPRCERTIFIKIM, LLC

B. Safety Concerns

C. Safety Team Leader Report

D. Open Discussion

1. Speeding concern
2. Emergency Response Plan update – Active Shooter

Next Meeting: Tuesday, December 12th, 2023 9:30am & 1:30pm



SAFETY MEETING
October 10, 2023
9:30am & 1:30pm
Minutes

In attendance:

9:30am session:

Melanie Gossett, Facilitator

Shaun Ownbey	Dan Combs	Shawn Malone	Nick Scheppler
Mike Arseneau	Alex Bowser	RJ Tyson	Rob Forsman
Tawonda Brown	Ryan McGinnis	Sandy Spriggs	Dustin Scheppler

Dave Tyson

1:30pm session:

Melanie Gossett, Facilitator

Jack Renchen	Jim Churney	Ron Haney	Bryan Kennedy
Josh Peters	John Lund	Nick Tucker	Michelle Howard
Alan Tornojo	Ben Smith	Seth Hall	

Absent:

Max Gossett

I. New Business

A. Safety Training

1. The annual Fire Extinguisher Safety training course was conducted by Liberty Fire Equipment. Attendees participated in a live, hands-on fire extinguisher demonstration.
2. All Attendees were given a reminder of the P.A.S.S. technique when putting out fires.

B. Safety Concerns

1. The door handles/locking mechanism on building #85 are difficult to operate, specifically the room that houses the chlorine tanks and the chlorination room.
 - ✓ The door handles in question have been addressed. A recommendation to replace all door handles with lever-type handles was given.

2. The treads on the F250 are worn.

✓ To be addressed.

3. Are there any plans to repair the flatbed truck?

✓ Yes

C. Safety Team Report

Safety Team Leader absent.

D. Open Discussion

1. A detailed Emergency Response Plan was presented. The following situations and protocol were covered: chemical leak and severe weather.

2. Data reflecting KRMA's participation in the National Wastewater Surveillance program was shared with the group.

3. Jim Churney was recognized for taking on the responsibility of lowering the American flag to half staff when need.

4. It was asked if the new vehicles would have logos to identify them as KRMA?

✓ Currently getting pricing

Next Meeting: Thursday, November 9, 2023***Note time change**
***9am and 1pm**

ATTACHMENT

D

FIELD CALIBRATION SHEET

COMPANY: KRMA

CITY: KANKAKEE/BROOKMONT

FLOW METER MODEL: ISCO Signature

INFLUENT November 7th, 2023

PRIMARY DEVICE: PHARSHAL

FLOW: 0-516 GPM 0-13.20 IN

MEASURING DEVICE: ULTRASONIC

CHECK POINTS:

LEVEL? YES

FREE FLOWING? YES

TURBULENCE? NO

BLOCKAGE? No

SURFACE BUILD-UP? NO

HEAD MEASURING DEVICE MOUNTED PROPERLY? Yes

BLOCKAGE IN HEAD MEASURING DEVICE? NO

IS FLOW METER PROGRAMMED CORRECTLY? Yes

CALIBRATION:

NOTE: THE ZERO POINT FOR MEASURING MUST BE LEVEL WITH THE WEIR CREST OR FLUME ZERO POINT:

A) IF POSSIBLE, CUT-OFF FLOW & SET LEVEL TO 0.000FT

LEVEL BEFORE:

LEVEL AFTER:

B) IF FLOW CANNOT BE CUT-OFF, ADJUST LEVEL ON METER TO MEASURED POINT:

LEVEL BEFORE: Target 24.125" Level 24.027"

LEVEL AFTER: 24.122"

Actual Flow 66.04 GPM 3.46"

LEVEL FLOW CONVERSION CHECK:

WITH FLOW THRU PRIMARY DEVICE, CHECK LEVEL TO FLOW CONVERSION WITH HANDBOOK OR PRIMARY DEVICE DATA SHEET: Yes

TOTALIZER CHECK:

WITH FLOW GOING THRU PRIMARY DEVICE, VERIFY THAT TOTAL FLOW IS INTEGRATING PROPERLY USING TIMED RATE METHOD: Yes

CALIBRATED BY: Brian Scheppeler

DATE 11/7/2023

BC SYSTEMS INC.
2778 N. 4000 E. ROAD
BOURBONNAIS ILLINOIS 60914
PHONE: 1-815-671-1257
FAX: 1-815-802-0219

FIELD CALIBRATION SHEET

COMPANY: KRMA

CITY: BRADLEY/ RIVER DRIVE

FLOW METER MODEL: Isco Signature

INFLUENT November 7th, 2023

PRIMARY DEVICE: PHARSHAL

FLOW: 0-21.36

MEASURING DEVICE: ULTRASONIC

CHECK POINTS:

LEVEL? YES

FREE FLOWING? Yes

TURBULENCE? Yes

BLOCKAGE? NO

SURFACE BUILD-UP? NONE

HEAD MEASURING DEVICE MOUNTED PROPERLY? YES

BLOCKAGE IN HEAD MEASURING DEVICE? NO

IS FLOW METER PROGRAMMED CORRECTLY? YES

CALIBRATION:

NOTE: THE ZERO POINT FOR MEASURING MUST BE LEVEL WITH THE WEIR CREST OR FLUME ZERO POINT:

A) IF POSSIBLE, CUT-OFF FLOW & SET LEVEL TO 0.000FT

LEVEL BEFORE:

LEVEL AFTER:

B) IF FLOW CANNOT BE CUT-OFF, ADJUST LEVEL ON METER TO MEASURED POINT:

LEVEL BEFORE: Target 10.0" Level reading 10.03"

LEVEL AFTER: 10.03"

C) Actual Flow .91 MGD 3.90"

LEVEL FLOW CONVERSION CHECK:

WITH FLOW THRU PRIMARY DEVICE, CHECK LEVEL TO FLOW CONVERSION WITH HANDBOOK OR PRIMARY DEVICE DATA SHEET: YES/OK

TOTALIZER CHECK:

WITH FLOW GOING THRU PRIMARY DEVICE, VERIFY THAT TOTAL FLOW IS INTEGRATING PROPERLY USING TIMED RATE METHOD: YES/OK

CALIBRATED BY: BRIAN SCHEPPLER

DATE: 11/7/2023

BC SYSTEMS INC.
2778 N. 4000 E. ROAD
BOURBONNAIS ILLINOIS 60914
PHONE: 1-815-671-1257
FAX: 1-815-802-0219

FIELD CALIBRATION SHEET

COMPANY: KRMA

CITY: KANKAKEE

FLOW METER MODEL: Siemens Hydro Ranger #1

Influent November 7th, 2023

PRIMARY DEVICE: Flume

FLOW: 0-73 MGD

MEASURING DEVICE: Ultrasonic

CHECK POINTS:

LEVEL? YES

FREE FLOWING? Yes

TURBULENCE? No

BLOCKAGE? NO

SURFACE BUILD-UP? No

HEAD MEASURING DEVICE MOUNTED PROPERLY? YES

BLOCKAGE IN HEAD MEASURING DEVICE? NO

IS FLOW METER PROGRAMMED CORRECTLY? YES

CALIBRATION:

NOTE: THE ZERO POINT FOR MEASURING MUST BE LEVEL WITH THE WEIR CREST OR FLUME ZERO POINT:

A) IF POSSIBLE, CUT-OFF FLOW & SET LEVEL TO 0.000FT

LEVEL BEFORE:

LEVEL AFTER:

B) IF FLOW CANNOT BE CUT-OFF, ADJUST LEVEL ON METER TO MEASURED POINT:

LEVEL BEFORE: Target Set 20 MGD AS Found 19.82 MGD

LEVEL AFTER: 19.99 MGD

C) Actual Flow 11.54 MGD

LEVEL FLOW CONVERSION CHECK:

WITH FLOW THRU PRIMARY DEVICE, CHECK LEVEL TO FLOW CONVERSION WITH HANDBOOK OR PRIMARY DEVICE DATA SHEET: YES/OK

TOTALIZER CHECK:

WITH FLOW GOING THRU PRIMARY DEVICE, VERIFY THAT TOTAL FLOW IS INTEGRATING PROPERLY USING TIMED RATE METHOD: YES/OK

CALIBRATED BY: BRIAN SCHEPPLER

DATE: 11/7/23

BC SYSTEMS INC.
2778 N. 4000 E. ROAD
BOURBONNAIS ILLINOIS 60914
PHONE: 1-815-671-1257
FAX: 1-815-802-0219

FIELD CALIBRATION SHEET

COMPANY: KRMA

CITY: BOURBONNAIS/New

FLOW METER MODEL: Isco Laser Flow

INFLUENT November 7th, 2023

PRIMARY DEVICE: 36" PIPE

FLOW: 0-21.36 MGD

MEASURING DEVICE:

CHECK POINTS:

LEVEL? YES

FREE FLOWING? Yes

TURBULENCE? NO

BLOCKAGE? NO

SURFACE BUILD-UP? None

HEAD MEASURING DEVICE MOUNTED PROPERLY?

BLOCKAGE IN HEAD MEASURING DEVICE? NO

IS FLOW METER PROGRAMMED CORRECTLY? YES

CALIBRATION:

NOTE: THE ZERO POINT FOR MEASURING MUST BE LEVEL WITH THE WEIR CREST OR FLUME ZERO POINT:

A) IF POSSIBLE, CUT-OFF FLOW & SET LEVEL TO 0.000FT

LEVEL BEFORE:

LEVEL AFTER:

B) IF FLOW CANNOT BE CUT-OFF, ADJUST LEVEL ON METER TO MEASURED POINT:

LEVEL BEFORE: Target level 16.0" As found 16.114"

LEVEL AFTER: 16.114"

C) Actual level 13.748" 3.46 MGD

LEVEL FLOW CONVERSION CHECK:

WITH FLOW THRU PRIMARY DEVICE, CHECK LEVEL TO FLOW CONVERSION WITH HANDBOOK OR PRIMARY DEVICE DATA SHEET: YES/OK

TOTALIZER CHECK:

WITH FLOW GOING THRU PRIMARY DEVICE, VERIFY THAT TOTAL FLOW IS INTEGRATING PROPERLY USING TIMED RATE METHOD: YES/OK

CALIBRATED BY: BRIAN SCHEPPLER

DATE: 11/7/2023

BC SYSTEMS INC.
2778 N. 4000 E. ROAD
BOURBONNAIS ILLINOIS 60914
PHONE: 1-815-671-1257
FAX: 1-815-802-0219

FIELD CALIBRATION SHEET

COMPANY: KRMA

CITY: Kankakee Influent

FLOW METER MODEL: Isco Laser Flow

INFLUENT November 7th, 2023

PRIMARY DEVICE: 72" PIPE

FLOW: 0-115 MGD

MEASURING DEVICE:

CHECK POINTS:

LEVEL? YES

FREE FLOWING? Yes

TURBULENCE? NO

BLOCKAGE? NO

SURFACE BUILD-UP? None

HEAD MEASURING DEVICE MOUNTED PROPERLY? YES

BLOCKAGE IN HEAD MEASURING DEVICE? NO

IS FLOW METER PROGRAMMED CORRECTLY? YES

CALIBRATION:

NOTE: THE ZERO POINT FOR MEASURING MUST BE LEVEL WITH THE WEIR CREST OR FLUME ZERO POINT:

A) IF POSSIBLE, CUT-OFF FLOW & SET LEVEL TO 0.000FT

LEVEL BEFORE:

LEVEL AFTER:

B) IF FLOW CANNOT BE CUT-OFF, ADJUST LEVEL ON METER TO MEASURED POINT:

LEVEL BEFORE: Target level 40.0" As found 40.169"

LEVEL AFTER: 40.169"

C) Actual level 26.484" 8.10 MGD

LEVEL FLOW CONVERSION CHECK:

WITH FLOW THRU PRIMARY DEVICE, CHECK LEVEL TO FLOW CONVERSION WITH HANDBOOK OR PRIMARY DEVICE DATA SHEET: YES/OK

TOTALIZER CHECK:

WITH FLOW GOING THRU PRIMARY DEVICE, VERIFY THAT TOTAL FLOW IS INTEGRATING PROPERLY USING TIMED RATE METHOD: YES/OK

CALIBRATED BY: BRIAN SCHEPPLER

DATE: 11/7/2023

BC SYSTEMS INC.
2778 N. 4000 E. ROAD
BOURBONNAIS ILLINOIS 60914
PHONE: 1-815-671-1257
FAX: 1-815-802-0219

FIELD CALIBRATION SHEET

COMPANY: KRMA

CITY: KANKAKEE

FLOW METER MODEL: Siemens Hydro Ranger #2

INFLUENT November 7th, 2023

PRIMARY DEVICE: Flume

FLOW: 0-73.425 MGD

MEASURING DEVICE: Ultrasonic

CHECK POINTS:

LEVEL? YES

FREE FLOWING? Yes

TURBULENCE? NO

BLOCKAGE? NO

SURFACE BUILD-UP? No

HEAD MEASURING DEVICE MOUNTED PROPERLY? YES

BLOCKAGE IN HEAD MEASURING DEVICE? NO

IS FLOW METER PROGRAMMED CORRECTLY? YES

CALIBRATION:

NOTE: THE ZERO POINT FOR MEASURING MUST BE LEVEL WITH THE WEIR CREST OR FLUME ZERO POINT:

A) IF POSSIBLE, CUT-OFF FLOW & SET LEVEL TO 0.000FT

LEVEL BEFORE:

LEVEL AFTER:

B) IF FLOW CANNOT BE CUT-OFF, ADJUST LEVEL ON METER TO MEASURED POINT:

LEVEL BEFORE: Target Set 20 MGD AS Found 19.76 MGD

LEVEL AFTER: 20.02 MGD

C) Actual Flow 11.54 MGD

LEVEL FLOW CONVERSION CHECK:

WITH FLOW THRU PRIMARY DEVICE, CHECK LEVEL TO FLOW CONVERSION WITH HANDBOOK OR PRIMARY DEVICE DATA SHEET: YES/OK

TOTALIZER CHECK:

WITH FLOW GOING THRU PRIMARY DEVICE, VERIFY THAT TOTAL FLOW IS INTEGRATING PROPERLY USING TIMED RATE METHOD: YES/OK

CALIBRATED BY: BRIAN SCHEPPLER

DATE: 11/7/2023

BC SYSTEMS INC.
2778 N. 4000 E. ROAD
BOURBONNAIS ILLINOIS 60914
PHONE: 1-815-671-1257
FAX: 1-815-802-0219

FIELD CALIBRATION SHEET

COMPANY: KRMA

CITY: KANKAKEE/RIVERLANE

FLOW METER MODEL: Isco Signature

INFLUENT November 7th, 2023

PRIMARY DEVICE: PHARSHAL

FLOW: 0-516 GPM 0-13.20 IN

MEASURING DEVICE: ULTRASONIC

CHECK POINTS:

LEVEL? YES

FREE FLOWING?

TURBULENCE? NO

BLOCKAGE? No

SURFACE BUILD-UP? No

HEAD MEASURING DEVICE MOUNTED PROPERLY? Yes

BLOCKAGE IN HEAD MEASURING DEVICE? NO

IS FLOW METER PROGRAMMED CORRECTLY? Yes

CALIBRATION:

NOTE: THE ZERO POINT FOR MEASURING MUST BE LEVEL WITH THE WEIR CREST OR FLUME ZERO POINT:

A) IF POSSIBLE, CUT-OFF FLOW & SET LEVEL TO 0.000FT

LEVEL BEFORE:

LEVEL AFTER:

B) IF FLOW CANNOT BE CUT-OFF, ADJUST LEVEL ON METER TO MEASURED POINT

C) LEVEL BEFORE: TARGET SET 24.125" Level 24.086"

LEVEL AFTER: 24.123"

D) Actual Flow 45.21 GPM 2.621"

LEVEL FLOW CONVERSION CHECK:

WITH FLOW THRU PRIMARY DEVICE, CHECK LEVEL TO FLOW CONVERSION WITH HANDBOOK OR PRIMARY DEVICE DATA SHEET: Yes

TOTALIZER CHECK:

WITH FLOW GOING THRU PRIMARY DEVICE, VERIFY THAT TOTAL FLOW IS INTEGRATING PROPERLY USING TIMED RATE METHOD: Yes

CALIBRATED BY: Brian Scheppeler

DATE: 11/7/2023

BC SYSTEMS INC.
2778 N. 4000 E. ROAD
BOURBONNAIS ILLINOIS 60914
PHONE: 1-815-671-1257
FAX: 1-815-802-0219

ATTACHMENT

E

October 2023 Monthly Pretreatment Sample Analysis (metals, cyanide & VOA) for the permitted industries were a total of **51 samples** and a total of **299 analyses**.

Gilster-Mary Lee Corporation	1 Sample
Hoffman Transportation, LLC	6 Samples
Laraway Recycling & Disposal Facility	1 Sample
Liberty Landfill, LLC	10 Samples
Livingston Landfill	6 Samples
Natural Gas & Pipeline Co. of America	5 Samples
Prairie View RDF	8 Samples
Tank Cleaning Solutions, LLC	14 Samples

Volumes Received for October 2023 for trucked-in industries.

Gilster-Mary Lee Corporation	6,000 gals	1 load
Hoffman Transportation, LLC	160,000 gals	32 loads
Laraway Recycling & Disposal Facility	5,787 gals	1 load
Liberty Landfill, LLC	291,804 gals	44 loads
Livingston Landfill	122,126 gals	18 loads
Natural Gas & Pipeline Co. of America	55,000 gals	11 loads
Prairie View RDF	248,258 gals	37 loads
Tank Cleaning Solutions, LLC	214,717 gals	41 loads
Verdant Specialty Solutions US LLC	0 gals	0 loads
Totals:	1,103,692 gals	185 loads

The KRMA Facility received a total of **193 loads** of septage which totalled **618,450 gallons** for the month of October 2023

Septic Hauler Summary**10/1/2023 To 10/31/2023**

	Load Count	Gallons
Anthem Excavation & Demolition	33	165,000
H&S Septic	14	35,000
Jean's Septic, Inc.	4	14,400
Lee's Rental	8	1,600
Nature Calls, Inc.	84	252,000
Outback Pumping Service, Inc.	32	98,000
PAC Pumping	1	1,400
Sullivan Septic & Sewer Inc.	14	46,800
Titan Septic & Sewer	3	4,250
Totals:	193	618,450

KRMA YEARLY UTILITY USAGE - (2023)

	KRMA ELECTRIC ENERGY USE									KRMA WATER USE				
	Total KWH	Days	Total Cost \$/month	Total Cost \$/day	Hydro KWH	Methane KWH	Champion Energy KWH	KWH/HR (Avg)	\$/KWH	Gallons	Days	Total Cost \$/Billing Period	Gallons/Day	Total Cost \$/day
JANUARY	814,907	33	\$ 28,536	\$ 865	-	157319	657,588	1,029	\$ 0.0350	281,400	29	\$ 2,334	9,703	80
FEBRUARY	813,209	30	\$ 28,607	\$ 954	-	149,689	663,520	1,129	\$ 0.0352	237,600	28	\$ 2,190	8,486	78
MARCH	828,155	30	\$ 27,102	\$ 903	-	207,461	620,694	1,150	\$ 0.0327	284,500	33	\$ 2,686	8,621	81
APRIL	779,763	30	\$ 44,543	\$ 1,485	-	186,199	593,564	1,083	\$ 0.0571	247,400	28	\$ 2,434	8,836	87
MAY	715,001	29	\$ 43,938	\$ 1,515	-	207,749	507,252	1,027	\$ 0.0615	362,700	31	\$ 3,215	11,700	104
JUNE	725,435	33	\$ 47,234	\$ 1,431	-	182,334	543,101	916	\$ 0.0651	331,400	33	\$ 3,003	10,042	91
JULY	608,823	31	\$ 49,423	\$ 1,594	-	32,938	575,885	818	\$ 0.0812	366,700	28	\$ 3,242	13,096	116
AUGUST	593,240	29	\$ 49,978	\$ 1,723	-	-	593,240	852	\$ 0.0842	436,400	34	\$ 3,715	12,835	109
SEPTEMBER	699,666	32	\$ 55,641	\$ 1,739	-	16,645	683,021	911	\$ 0.0795	347,400	29	\$ 3,113	11,979	107
OCTOBER	695,856	29	\$ 41,586	\$ 1,434	-	236,818	459,038	1,000	\$ 0.0598	275,800	30	\$ 2,628	9,193	88
NOVEMBER	0			#DIV/0!	-			#DIV/0!	#DIV/0!				#DIV/0!	#DIV/0!
DECEMBER	0			#DIV/0!	-			#DIV/0!	#DIV/0!				#DIV/0!	#DIV/0!
TOTAL	7,274,055	306	\$ 416,588	#DIV/0!	0	1,377,152	5,896,903	#DIV/0!	#DIV/0!	3,171,300	303	\$ 28,560	#DIV/0!	#DIV/0!
	Total KWH	Days	Total Cost \$/month	Total Cost \$/day	Hydro KWH	Methane KWH	Mid-American KWH	KWH/HR (Avg)	\$/KWH	Gallons	Days	Total Cost \$/Billing Period	Gallons/Day	Total Cost \$/day

	KRMA NATURAL GAS USE				
	Therms	Days	Total Cost \$/Billing Period	Therms/Day	Total Cost \$/day
JANUARY	41,951	32	\$ 28,538	1311	\$ 892
FEBRUARY	47,361	32	\$ 30,829	1480	\$ 963
MARCH	28,740	29	\$ 25,312	991	\$ 873
APRIL	28,404	30	\$ 18,677	947	\$ 623
MAY	22,356	31	\$ 14,880	721	\$ 480
JUNE	12,325	30	\$ 8,403	411	\$ 280
JULY	10,205	30	\$ 2,203	340	\$ 73
AUGUST	9,381	31	\$ 6,460	303	\$ 208
SEPTEMBER	8,706	30	\$ 1,883	290	\$ 63
OCTOBER	9,783	29	\$ 15,570	337	\$ 537
NOVEMBER				#DIV/0!	#DIV/0!
DECEMBER				#DIV/0!	#DIV/0!
TOTAL	219,213	304	\$ 152,755	#DIV/0!	#DIV/0!
	Therms	Days	Total Cost \$/Billing Period	Therms/Day	Total Cost \$/day



Annual Load / Gallon Totals

IV-B-2

2023

Month Received	Gilster-Mary Lee Corporation	Hoffman Transportation, LLC	Kankakee Recycling & Disposal Facility	Lake County C&D Landfill	Laraway Recycling & Disposal Facility	Liberty 3 LFGTE Plant - Wabash Valley Power Alliance	Liberty Landfill, LLC	Livingston Landfill	Momence Packing	Momence Packing Company	Natural Gas & Pipeline Co. of America	Newton County Landfill	Peoria Packing Co.	Prairie View - Will County RNG Plant	Prairie View - Will County RNG Plant	Prairie View RDF	Tank Cleaning Solutions, LLC	Verdant Specialty Solutions US LLC	Zutat Feed Solutions	Total	# Loads	
January	40,000	150,000	21,000				1,153,315	200,568			50,000	802,409				205,948	204,684	32,941	24,000	2,884,965	463	
February	42,000	155,000	84,000				815,342	147,452			80,000	499,119				209,033	214,389	66,587		2,312,922	381	
March	24,000	163,000	77,000		31,151		947,972	171,549			130,000	494,982				244,828	209,480			2,493,962	409	
April	18,000	160,000	98,000		90,004		973,052	167,651			55,000	538,632				285,477	178,058			2,561,874	440	
May	24,000	140,000	42,000		94,243		1,143,477	153,374			15,000	117,933				487,654	209,480			2,427,161	399	
June		160,000	21,000		5,647		874,891	139,778			5,000	179,466				366,123	193,769			1,045,674	316	
July	6,000	130,000	7,000				696,445	129,270			55,000					174,189	204,243			1,402,147	236	
August	30,000	155,000					721,041	137,550			30,000					146,673	209,480			1,429,744	211	
September	6,000	155,000					507,316	138,708			35,000					122,440	188,532			1,152,996	201	
October	6,000	160,000			5,787		291,804	122,126			55,000					248,258	214,717			1,103,692	185	
November																						
December																						
Totals	194,000	1,528,000	350,000		226,832		6,124,655	1,508,926			510,000	2,632,541				2,490,623	2,026,032	99,528	24,000	19,715,037	3,237	
Average	21,556	152,800	50,000		45,366		812,466	150,803			51,000	438,757				249,062	202,683	49,764	24,000	1,971,504	324	
Treatment Costs as of 05/01/23	0.09	0.062	0.062	0.062	0.062	0.062	0.062	0.062	0.09	0	0.09	0.1	0.09	0	0	0.062	0.09	0.145	0.086			
Treatment Costs as of 05/01/22	0.086	0.059	0.059	0.059	0.059	0.059	0.059	0.059	0.086	0	0.086	0.08	0.086	0	0	0.059	0.086	0.138	0.082			



**Monthly TSS/BOD
Loading Report**
October, 2023

1600 West Brookmont Blvd.
Kankakee, IL 60901
Phone: 815-933-0444
Fax: 815-933-0104

Hauler	Gallons	Lbs TSS	Lbs BOD
Gilster-Mary Lee Corporation	6,000	9	113
Hoffman Transportation, LLC	160,000	78	1,504
Laraway Recycling & Disposal Facility	5,787	11	13
Liberty Landfill, LLC	291,804	6,255	5,028
Livingston Landfill	122,126	705	3,316
Natural Gas & Pipeline Co. of America	55,000	19	120
Prairie View RDF	248,258	171	3,736
Tank Cleaning Solutions, LLC	214,717	210	4,608
Totals:	1,103,692	7,459	18,437

KRMA Flows Report

Kankakee Flows				Bradley Flows				Bourbonnais Flows				Aroma Park Flows				TOTALS		TOTALS
YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	TOTALS	TOTALS	
5/31/2021	346,570	65.99%	63.38%	60,497	60,497	11.52%	12.36%	116,826	116,826	22.24%	23.92%	1,290	1,290	0.25%	0.34%	525,183	1,000	
6/30/2021	634,090	66.76%	63.38%	103,540	43,043	9.99%	12.36%	215,789	98,963	22.98%	23.92%	2,460	1,170	0.27%	0.34%	430,696	1,000	
7/31/2021	930,320	70.61%	63.38%	137,501	33,981	8.10%	12.36%	304,021	88,232	21.03%	23.92%	3,562	1,102	0.26%	0.34%	419,525	1,000	
8/31/2021	1,162,810	67.69%	63.38%	166,666	29,165	8.49%	12.36%	384,716	80,695	23.49%	23.92%	4,699	1,137	0.33%	0.34%	343,487	1,000	
9/30/2021	1,369,410	66.65%	63.38%	193,616	26,950	8.69%	12.36%	460,262	75,546	24.37%	23.92%	5,600	0,901	0.29%	0.34%	309,997	1,000	
10/31/2021	1,787,590	67.50%	63.38%	265,529	71,913	11.61%	12.36%	587,784	127,522	20.58%	23.92%	7,475	1,875	0.30%	0.34%	619,490	1,000	
11/30/2021	2,068,130	65.59%	63.38%	314,680	49,351	11.54%	12.36%	684,120	96,336	22.52%	23.92%	8,937	1,462	0.34%	0.34%	427,689	1,000	
12/31/2021	2,315,330	60.47%	63.38%	362,817	47,937	11.73%	12.36%	796,476	112,356	27.48%	23.92%	10,246	1,309	0.32%	0.34%	408,802	1,000	
1/31/2022	2,567,800	64.39%	63.38%	408,584	45,767	11.67%	12.36%	889,113	92,637	23.63%	23.92%	11,455	1,209	0.31%	0.34%	392,083	1,000	
2/28/2022	2,952,230	66.67%	63.38%	471,548	62,964	10.92%	12.36%	1,016,840	127,727	22.15%	23.92%	12,972	1,617	0.26%	0.34%	576,638	1,000	
3/31/2022	3,301,220	61.44%	63.38%	539,845	68,297	12.02%	12.36%	1,165,653	148,813	26.20%	23.92%	14,980	1,908	0.34%	0.34%	568,008	1,000	
4/30/2022	3,673,760	63.95%	63.38%	608,424	68,579	11.77%	12.36%	1,305,059	139,406	23.93%	23.92%	16,901	2,021	0.35%	0.34%	582,546	1,000	
	3,673,760	65.54%		608,424	10,857%			1,305,059	23,287%			16,901	0,302%			5604,144	12,000	

Kankakee Flows				Bradley Flows				Bourbonnais Flows				Aroma Park Flows				TOTALS		TOTALS
YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	TOTALS	TOTALS	
5/31/2022	327,190	63.29%	65.55%	59,684	59,684	11.54%	10.86%	128,467	128,467	24.85%	23.29%	1,632	1,632	0.32%	0.30%	516,973	1,000	
6/30/2022	589,310	67.13%	65.55%	36,566	36,566	9.36%	10.86%	90,737	90,737	23.24%	23.29%	1,047	1,047	0.27%	0.30%	390,470	1,000	
7/31/2022	845,820	69.25%	65.55%	32,633	32,633	8.81%	10.86%	80,160	80,160	21.64%	23.29%	1,083	1,083	0.29%	0.30%	370,386	1,000	
8/31/2022	1,073,610	68.05%	65.55%	27,078	27,078	8.09%	10.86%	78,806	78,806	23.54%	23.29%	1,089	1,089	0.33%	0.30%	334,763	1,000	
9/30/2022	1,270,980	66.81%	65.55%	24,400	24,400	8.26%	10.86%	72,615	72,615	24.58%	23.29%	1,022	1,022	0.35%	0.30%	295,407	1,000	
10/31/2022	1,478,340	65.54%	65.55%	29,974	29,974	9.47%	10.86%	78,126	78,126	24.69%	23.29%	0,949	0,949	0.30%	0.30%	316,409	1,000	
11/30/2022	1,675,230	63.27%	65.55%	30,268	30,268	9.73%	10.86%	83,143	83,143	26.72%	23.29%	0,899	0,899	0.29%	0.30%	311,200	1,000	
12/31/2022	1,914,460	64.26%	65.55%	40,083	40,083	10.77%	10.86%	91,917	91,917	24.69%	23.29%	1,026	1,026	0.28%	0.30%	372,256	1,000	
1/31/2023	2,164,510	64.07%	65.55%	42,295	42,295	10.84%	10.86%	96,867	96,867	24.82%	23.29%	1,043	1,043	0.27%	0.30%	390,256	1,000	
2/28/2023	2,416,300	59.61%	65.55%	51,947	51,947	12.30%	10.86%	117,385	117,385	27.79%	23.29%	1,262	1,262	0.30%	0.30%	422,384	1,000	
3/31/2023	2,808,030	60.21%	65.55%	89,485	89,485	13.75%	10.86%	167,099	167,099	25.68%	23.29%	2,277	2,277	0.35%	0.30%	650,591	1,000	
4/30/2023	3,098,910	64.32%	65.55%	143,995	54,510	12.05%	10.86%	272,361	105,262	23.27%	23.29%	3,892	1,615	0.36%	0.30%	452,267	1,000	
	3,098,910	64,248%		518,923	10,759%			1,190,584	24,684%			14,944	0,310%			4,823,361	12,000	

Kankakee Flows				Bradley Flows				Bourbonnais Flows				Aroma Park Flows				TOTALS		TOTALS
YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	YTD Actual Flows	Actual Flows	% of Total	Estimated %	TOTALS	TOTALS	
5/31/2023	241,200	63.06%	64.25%	42,940	42,940	11.23%	10.76%	97,296	97,296	25.44%	24.68%	1,078	1,078	0.28%	0.31%	382,514	1,000	
6/30/2023	429,120	66.42%	64.25%	27,600	27,600	9.76%	10.76%	66,500	66,500	23.50%	24.68%	0,910	0,910	0.32%	0.31%	282,930	1,000	
7/31/2023	634,720	61.28%	64.25%	35,730	35,730	10.65%	10.76%	93,260	93,260	27.80%	24.68%	0,920	0,920	0.27%	0.31%	335,510	1,000	
8/31/2023	859,940	65.28%	64.25%	36,170	36,170	10.48%	10.76%	82,660	82,660	23.96%	24.68%	0,970	0,970	0.28%	0.31%	345,020	1,000	
9/30/2023	1,062,280	64.02%	64.25%	32,810	32,810	10.38%	10.76%	79,930	79,930	25.29%	24.68%	0,980	0,980	0.31%	0.31%	316,060	1,000	
10/31/2023	1,280,950	55.75%	64.25%	52,360	52,360	13.35%	10.76%	120,040	120,040	30.60%	24.68%	1,170	1,170	0.30%	0.31%	392,240	1,000	
11/30/2023	1,280,950	0.00%	64.25%	0,000	0,000	0.00%	10.76%	0,000	0,000	0.00%	24.68%	0,000	0,000	0.00%	0.31%	0,000	0,000	
12/31/2023	1,280,950	0.00%	64.25%	0,000	0,000	0.00%	10.76%	0,000	0,000	0.00%	24.68%	0,000	0,000	0.00%	0.31%	0,000	0,000	
1/31/2024	1,280,950	0.00%	64.25%	0,000	0,000	0.00%	10.76%	0,000	0,000	0.00%	24.68%	0,000	0,000	0.00%	0.31%	0,000	0,000	
2/29/2024	1,280,950	0.00%	64.25%	0,000	0,000	0.00%	10.76%	0,000	0,000	0.00%	24.68%	0,000	0,000	0.00%	0.31%	0,000	0,000	
3/31/2024	1,280,950	0.00%	64.25%	0,000	0,000	0.00%	10.76%	0,000	0,000	0.00%	24.68%	0,000	0,000	0.00%	0.31%	0,000	0,000	
4/30/2024	1,280,950	0.00%	64.25%	0,000	0,000	0.00%	10.76%	0,000	0,000	0.00%	24.68%	0,000	0,000	0.00%	0.31%	0,000	0,000	
	1,280,950	62,355%		227,610	11,080%			539,686	26,271%			6,028	0,293%			2,054,274	6,000	

Flows
 KRMA Treatment Facility
 October, 2023

Date	PRECIPITA INCHES	PLANT MGD	Kankakee MGD	BOURB. MGD	BradleyFlow MGD	AromaPark MGD
10/1/2023	.00	9.20	5.77	2.54	.85	.03
10/2/2023	.00	8.91	5.45	2.51	.91	.03
10/3/2023	.00	8.96	5.53	2.43	.96	.03
10/4/2023	.27	8.91	5.48	2.41	.98	.03
10/5/2023	.84	14.11	7.43	4.63	2.00	.05
10/6/2023	.03	14.95	9.69	3.63	1.59	.04
10/7/2023	.00	11.30	6.89	3.05	1.32	.04
10/8/2023	.00	10.37	6.27	2.83	1.24	.04
10/9/2023	.00	10.11	6.23	2.78	1.07	.04
10/10/2023	.00	10.20	6.50	2.64	1.00	.07
10/11/2023	1.15	9.92	6.20	2.68	1.00	.04
10/12/2023	.00	17.84	8.18	6.88	2.74	.04
10/13/2023	.00	18.73	10.41	5.80	2.47	.04
10/14/2023	.00	17.92	8.82	6.27	2.79	.04
10/15/2023	.93	16.96	9.76	4.74	2.42	.04
10/16/2023	.02	14.02	7.84	4.12	2.02	.04
10/17/2023	.00	13.06	7.40	3.77	1.85	.04
10/18/2023	.11	12.56	7.38	3.52	1.63	.03
10/19/2023	.28	11.94	6.51	3.72	1.67	.04
10/20/2023	.00	12.51	6.58	4.04	1.85	.04
10/21/2023	.00	12.56	7.32	3.61	1.59	.04
10/22/2023	.00	11.62	6.69	3.38	1.52	.04
10/23/2023	.00	10.95	6.60	3.17	1.15	.03
10/24/2023	.16	10.89	6.64	3.02	1.20	.03
10/25/2023	.43	10.93	5.91	3.42	1.57	.03
10/26/2023	.23	12.59	5.90	4.76	1.89	.04
10/27/2023	.00	13.53	6.67	4.73	2.09	.04
10/28/2023	.00	13.35	6.87	4.42	2.02	.04
10/29/2023	.63	14.29	6.20	5.55	2.51	.04
10/30/2023	.00	15.28	8.03	4.85	2.37	.04
10/31/2023	.03	13.80	7.52	4.16	2.09	.03
Total	5.11	392.24	218.67	120.04	52.36	1.17
Average	.16	12.65	7.05	3.87	1.69	.04
Minimum	.00	8.91	5.45	2.41	.85	.03
Maximum	1.15	18.73	10.41	6.88	2.79	.07
# of data	31.00	31.00	31.00	31.00	31.00	31.00

**AN ORDINANCE REGARDING THE PAID LEAVE FOR ALL WORKERS
ACT FOR THE KANKAKEE RIVER METROPOLITAN AGENCY**

WHEREAS, the Kankakee River Metropolitan Agency (“KRMA”) is a municipal corporation established by intergovernmental agreement between the City of Kankakee and the Village of Bourbonnais, the Village of Bradley, and the Village of Aroma Park, pursuant to Section 3.2 of the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/3.2; and

WHEREAS, on or about March 12, 2023, Governor JB Pritzker signed into law the Paid Leave for All Workers Act, 820 ILCS 192/1 *et seq.* (the “PLAWA”); and

WHEREAS, the State of Illinois did not make the necessary appropriations or include statutory language exempting the PLAWA from the Illinois State Mandates Act, 30 ILCS 805/1 *et seq.*; and

WHEREAS, effective January 1, 2024, the PLAWA requires an employer to provide certain paid leave to their employees, unless the employer is subject to an existing municipal or county ordinance that requires the employer to provide any form of paid leave to their employees; and

WHEREAS, KRMA recognizes the importance of paid leave and currently provides reasonable paid leave benefits to its employees; and

WHEREAS, KRMA has determined that applying the PLAWA to its own employees will negatively impact KRMA and place an undue financial and operational burden on KRMA’s ability to provide for efficient, uninterrupted, and environmentally sound collection, transportation, processing, storage, and disposal of municipal wastewater; and

WHEREAS, KRMA believes and hereby declares that it is in the best interests of KRMA to clearly define the paid leave benefits that KRMA employees shall receive.

NOW, THEREFORE, be it ordained, by the Board of Directors of the Kankakee River Metropolitan Agency, Kankakee County, Illinois, as follows:

SECTION ONE. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION TWO. Pursuant to Section 15(p) of the PLAWA, for KRMA employees not subject to a collective bargaining agreement, paid leave shall continue to be provided in accordance with and as set forth in KRMA’s Personnel Manual, and Exempt Employee Benefit Handbook, as the same may be amended from time to time; and

SECTION THREE. Pursuant to Section 15(p) of the PLAWA, for any employees in collective bargaining units, paid leave shall continue to be provided in accordance with KRMA's Personnel Manual, the Exempt Employee Benefit Handbook, any in accordance with any collective bargaining agreements in force and effect to which KRMA is a party; and

SECTION FOUR. This Ordinance is a municipal ordinance under Section 15(p) of the PLAWA requiring KRMA, as an employer, to provide paid leave in accordance with this Ordinance; in no event shall KRMA as an employer, provide less than one (1) day of paid leave per year to any KRMA employee; and

SECTION FIVE. Except as provided for in this Ordinance, KRMA, as an employer, shall have no additional obligations with regard to mandatory paid leave under the PLAWA.

SECTION SIX. Repeal of Conflicting Provisions. All ordinances, resolutions, and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

SECTION SEVEN. Severability. If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION EIGHT. This Ordinance shall be in full force and effect after its passage and publication.

PASSED the _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

Chris Curtis, Chair
Kankakee River Metropolitan Agency

ATTEST:

Brian Stump, Secretary
Kankakee River Metropolitan Agency

STATE OF ILLINOIS)
) SS.
KANKAKEE COUNTY)

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Kankakee River Metropolitan Agency (“KRMA”), Kankakee County, Illinois, and as such I am the keeper of the records and files of the Board of Directors of KRMA.

I further certify that the foregoing is a full, true, and complete copy of the Ordinance entitled:

**AN ORDINANCE REGARDING THE PAID LEAVE FOR ALL WORKERS
ACT FOR THE KANKAKEE RIVER METROPOLITAN AGENCY**

adopted at a duly called Regular Meeting of KRMA held at Kankakee, Illinois at 9:00 a.m. on the _____ day of _____, 2023.

I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given as required by law, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and that the KRMA Board has complied with all the provisions of said Act and with all the procedural rules of the Board.

IN WITNESS WHEREOF I hereunto affix my official signature at Kankakee, Illinois, this _____ day of _____, 2023.

Brian Stump, Secretary

MEMO

To: Brad Cole, Executive Director of Illinois Municipal League
From: Robbins Schwartz, Special Counsel to IML
Date: November 1, 2023
Re: Paid Leave for All Workers Act

ISSUES ADDRESSED

The Paid Leave for All Workers Act (Public Act 102-1143) (the “PLAWA”) becomes effective January 1, 2024 and mandates employers provide up to 40 hours of paid leave during a 12-month period for many types of employees in Illinois.

This memorandum analyzes whether home rule municipalities can opt out of the PLAWA and concludes that they can. IML has obtained several opinions on this issue, and in the discussion below, this memorandum analyzes and reconciles the opinions obtained by IML. Finally, this memorandum recommends model ordinances for both home rule and non-home rule municipalities to adopt prior to January 1, 2024.

DISCUSSION

1. Home rule authority is not preempted by the PLAWA and therefore home rule municipalities are not preempted from completely opting out of the PLAWA.

The powers of home rule municipalities are derived from the Illinois Constitution and will be familiar to the readers of this memorandum. The legal opinions obtained by IML all recognize the broad scope of home rule authority. The default position of home rule municipalities is that they get to legislate on matters of local concern. With the PLAWA there is no preemption of that default position, meaning that home rule municipalities are not preempted from opting out of the PLAWA.

A home rule unit “may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt.” Ill. Const.1970, art. VII, § 6(a). “Section 6(a) was written with the intention to give home rule units the broadest powers possible.” *Palm v. 2800 Lake Shore Drive Condominium Ass'n*, 2013 IL 110505, ¶ 30. Home rule units are empowered to carry on activities that relate to their communities notwithstanding the fact

that the state also may be interested and active in regulating in the same area. *Crawford v. City of Chicago*, 304 Ill. App. 3d 818, 825 (1st Dist. 1999). Furthermore, section 6(m) of the Constitution provides that the “[p]owers and function of home rule units shall be construed liberally” thereby underscoring that in cases of doubt, questions of local authority should be resolved in favor of the home rule municipality. Ill. Const. 1970, art. VII, § 6(m).

Of course, the powers of home rule units are not boundless, and the legislature retains the authority “to restrict the exercise of virtually all home rule powers” by using the “tools necessary for the preemption of home rule activity” that are in section 6 of article VII. *Nevitt v. Langfelder*, 157 Ill. 2d 116, 131 (1993). The “tools” at the disposal of the legislature are subsections (g), (h), (i), (j), and (k) of section 6 of article VII. The General Assembly can restrict the concurrent exercise of a home rule unit’s power by enacting a law that specifically limits such power under section 6(i), but unless a state law specifically states that a home rule unit’s power is restricted, the authority of a home rule unit to act concurrently with the state *is not* restricted. *Crawford*, 304 Ill. App. 3d at 825-26.

The Illinois Supreme Court has “consistently recognized that the home rule provisions of the Illinois Constitution are intended to eliminate or at least reduce to a bare minimum the circumstances under which local home rule powers are preempted by judicial interpretation of unexpressed legislative intention.” *Scadron v. City of Des Plaines*, 153 Ill. 2d 164, 186 (1992) and *Palm*, 2013 IL 110505, ¶ 34. “The Illinois approach places almost exclusive reliance on the legislature rather than the courts to keep home rule units in line.” *Palm*, 2013 IL 110505, ¶ 34. As the *Palm* court further explained: “if the constitutional design is to be respected, the courts should step in to compensate for legislative inaction or oversight only in the clearest cases of oppression, injustice, or interference by local ordinances with vital state policies.” *Id.* And “because the legislature can always vindicate state interests by express preemption, only vital state interests would allow a court to decide that an exercise of home rule power does not pertain to local government and affairs.” *City of Chicago v. StubHub, Inc.*, 2011 IL 111127, ¶ 22. In summary, “[i]f a subject pertains to local government and affairs, and the legislature has not expressly preempted home rule, municipalities may exercise their power.” *Palm*, 2013 IL 110505, ¶ 36, (quoting *StubHub*, 2011 IL 111127, ¶ 22).

As the First District Appellate Court recently commented, “the default position for a home rule unit is to be able to legislate on local matters...” and “the legislature’s silence on the power of home rule units is actually evidence of the home rule unit’s power, not the other way around..” *Accel Entertainment Gaming, LLC v. Village of Elmwood Park*, 2015 IL App (1st) 143822, ¶ 47.

The General Assembly itself has recognized these principles and imposed on itself section 7 of the Statute on Statutes. Several of the opinions obtained by IML specifically note this section 7, which provides:

No law enacted after January 12, 1977, denies or limits any power or function of a home rule unit, pursuant to paragraphs (g), (h), (i), (j), or (k) of Section 6 of Article VII of the Illinois Constitution, unless there is specific language limiting or denying

the power or function and the language specifically sets forth in what manner and to what extent it is a limitation on or denial of the power or function of a home rule unit.

See 5 ILCS 70/7.

The opinion of Brown, Hay and Stephens obtained by IML notes that House Floor Amendment 2 was introduced to the PLAWA and would have provided as follows:

Section 90. Home rule. The regulation of employee leave benefits is an exclusive power of the State. A home rule unit may not regulate any type of employee leave benefits. Any county or municipal ordinance in effect on or before the effective date of this Act that regulates any form of employee leave benefits, including paid sick time, is null and void. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

After having the opportunity to include clear preemption language of the type proposed by Amendment 2, and after hearing testimony in opposition to the language including from IML, the General Assembly declined to include the express language. As the legal opinion obtained by IML from Brown, Hay and Stephens notes, this is the type of evidence a court could rely on to conclude that home rule authority is not preempted by the PLAWA. See *Harris Bank St. Charles v. Weber*, 298 Ill. App. 3d 1072, 1081 (2d Dist. 1998). Again, “the legislature’s silence on the power of home rule units is actually evidence of the home rule unit’s power, not the other way around..” *Accel Ent. Gaming*, ¶ 47.

Because there is no home rule preemption language in the PLAWA that satisfies the requirements of section 6 of article VII, or section 7 of the Statute on Statutes, home rule units are not preempted from opting out of the PLAWA. Three of the four opinions obtained from IML are consistent with the opinion expressed here.

2. A decision by a home rule municipality with respect to its own employees to opt out of the PLAWA pertains to the municipality’s government and affairs and is therefore a power of the municipality under section 6(a).

The cornerstone of any challenge brought to the decision of a home rule municipality to opt out of the PLAWA would probably be an argument under section 6(a) that opting out of the PLAWA is a broader statewide issue and not a matter of local concern. We think that the argument could probably be presented in such a way to make it attractive for a sympathetic court looking for a way to help workers secure additional benefits. Ultimately, however, on the discrete issue of a home rule municipality opting out of the PLAWA with respect to its own employees, the matter is one that pertains to the affairs of the local municipality.

Essentially, the framers of the Illinois Constitution saw the role of the courts under section 6(a) as narrow. For example, the Supreme Court noted the “dominant interest” of the state in the



administration of justice when it struck down a municipal ordinance imposing a fee on circuit court filings to benefit a county library. *Ampersand, Inc. v. Finley*, 61 Ill.2d 537, 543 (1975). In *People ex rel. Lignoul v. City of Chicago*, 67 Ill.2d 480, 486 (1977) the Supreme Court concluded that pervasive banking regulations by the state as well as a constitutional provision on the subject invalidated a municipal financial services ordinance. However, in *City of Evanston v. Create, Inc.*, 85 Ill.2d 101, 112–13 (1981), the Supreme Court stated that “[t]he mere existence of State interest and activity in a particular field does not alone preclude home rule activity,” and upheld a municipal landlord-tenant ordinance. *Id.* at 113.

Since *Kalodimos v. Village of Morton Grove*, 103 Ill.2d 483 (1984), the Supreme Court’s analysis under section 6(a) on whether an issue is a matter of statewide or local concerns has been the following three factor analysis:

Whether a particular problem is of statewide rather than local dimension must be decided not on the basis of a specific formula or listing set forth in the Constitution but with regard (1) for the nature and extent of the problem, (2) the units of government which have the most vital interest in its solution, and (3) the role traditionally played by local and statewide authorities in dealing with it.

Kalodimos, 103 Ill. 2d 501 (numbering added).

This is not a “free-wheeling preemption rule” resting upon the mere existence of comprehensive state regulation. *Id.* at 502. Again, the approach in Illinois is an almost exclusive reliance on the legislature rather than the courts to restrict home rule, and “because the legislature can always vindicate state interests by express preemption, only vital state interests would allow a court to decide that an exercise of home rule power does not pertain to local government and affairs.” *City of Chicago v. StubHub, Inc.*, 2011 IL 111127, ¶ 22.

With regard to assessing the nature and extent of the problem, courts will look to whether the problem can be identified or defined as more local in nature. Concerning which unit of government has a greater interest in solving the problem, the courts balance the local and state interests involved. The courts have typically found in favor of the municipality if the problem is determined to be primarily local in nature. Lastly, in determining whether the state or the home rule unit has a traditional role in solving the identified problem the court reviews the history of local and state regulation of the matter.

The issue of whether an individual home rule unit gives paid leave to its current employees, how much it gives them, and how it is provided, are quintessentially local concerns. As the Supreme Court has stated, the power over employee compensation and benefits is essential to the functioning of home rule municipalities. *Crawford*, 304 Ill. App. 3d at 827. “The competition in the job market involving employees from laborers to professionals must be dealt with by an employing municipal entity on a practical and realistic level if it is to possess the ability to hire and retain qualified individuals to serve the community.” *Id.* Moreover, the PLAWA provides no funding for implementation, and it is the municipalities that must budget for and pay the cost of



paid leave and deal with the consequences of staff shortages due to leave. The first two factors of the *Kalodimos* analysis weigh heavily in favor of home rule municipalities.

The last part of the *Kalodimos* analysis, the role traditionally played by local and statewide authorities in dealing with the issue, also favors home rule municipalities. The PLAWA is the state's first foray into broadly mandated paid leave, but local municipalities have been dealing with the issue of paid leave since well before the implementation of the Illinois Constitution. Moreover, the language of the PLAWA itself, in section 15(p) and in having collective bargaining carve-outs, is indicative of and an acknowledgement that municipalities (home rule and non-home rule alike) have a significant role. The legal opinion obtained by IML from Clark Baird Smith, LLP characterized section 15(p) as a legislative concession that paid time off pertains to local affairs. This is a fair characterization and an argument that should be advanced in the event of future legal proceedings on the home rule opt out issue.

No analysis on the question of whether a matter is of statewide or local concern can conclude without a discussion of *People ex rel. Bernardi v. City of Highland Park*, 121 Ill. 2d 1 (1988). The legal opinion obtained by IML from Del Galdo Law Group, LLC discussed the *Bernardi* case. In *Bernardi* the home rule municipality decided to use its home rule authority to opt out of the Prevailing Wage Act when it contracted for a public works project involving a water intake line from Lake Michigan. The Supreme Court held that the municipality could not opt out and that compliance with the Prevailing Wage Act "is a matter pertaining to statewide, and decidedly not local, government or affairs." *Id.* 16. This conclusion was preceded by troubling dicta that "[a]dopting the [municipality's definition of home rule authority...would put at risk all of the State's labor laws and invite increasingly localized definition of workers' rights" and that "to avoid a chaotic and ultimately ineffective labor policy...the State has a far more vital interest in regulating labor conditions than do local communities." *Id.* at 15-16.

The holding and language of *Bernardi* would seem to create a strong argument for the position that paid leave, and hence the PLAWA, is a statewide, not local, concern. However, the holding of *Bernardi* was limited and boxed in by the Supreme Court's analysis eleven years later in *Crawford*. The *Crawford* court stated as follows concerning the *Bernardi* opinion:

The supreme court [in *Bernardi*] noted that the Prevailing Wage Act embodied a policy precluding such wages from being set locally because the reduced wages for public works projects in Highland Park also would reduce the prevailing wage on all public works projects in Lake County, since the prevailing wage was determined solely by reference to wages paid on all public works projects in a region. (citation omitted). Highland Park's attempt to opt out of the Prevailing Wage Act affected an issue of state-wide concern because it had an impact beyond its own borders.

Crawford, 304 Ill. App. 3d 828.

In other words, a municipality ignoring the Prevailing Wage Act would impact wages in the entire region thus having an impact not merely local in nature. The *Crawford* court suggests that the



Bernardi decision should be read no more broadly and even goes on to state that *Bernardi* does not hold that the state has a concern with the uniform application of all employee benefit laws. *Id.*

We also note that if the State tried to take a page from *Bernardi* and argue that it has an interest in uniform application of paid leave under the PLAWA, it would be difficult to make a strong argument in the face of all the exceptions in the PLAWA. Depending on the nature of the worker, there are numerous exceptions for workers who do not fall under the PLAWA, including: (1) employees under the federal Railroad Unemployment Insurance Act, (2) certain students who are employed at colleges or universities, (3) certain short-term employees of an institution of higher education, (4) school district employees, (4) park district employees, (5) employees under a collective bargaining agreement, (6) employees in the construction industry covered by a collective bargaining agreement, (7) employees covered by a collective bargaining agreement that provides services nationally or internationally of parcel delivery and transportation, (8) state agency employees covered by a collective bargaining agreement that could possible waive the requirements of the PLAWA, and (9) employers covered by a municipal or county ordinance in effect as of January 1, 2024 that requires employers to give any form of paid leave to their employees.

The *Kalodimos* analysis strongly favors home rule municipalities, and for all the reasons above, arguments that local opt out ordinances do not pertain to a home rule municipality's government and affairs are likely to fail. The possible counter arguments should not discourage a home rule municipality from opting out of the PLAWA if it otherwise desires to do so.

RECOMMENDATION FOR MUNICIPAL ACTION

For the reasons stated above, home rule municipalities can opt out of the PLAWA. However, we recommend a belt and suspenders approach that both uses home rule authority to opt out and also works within the framework of section 15(p) of the PLAWA.

Section 15(p) provides:

(p) The provisions of this Act shall not apply to any employer that is covered by a municipal or county ordinance that is in effect on the effective date of this Act that requires employers to give *any form of paid leave* to their employees, including paid sick leave or paid leave. Notwithstanding the provisions of this subsection, any employer that is not required to provide paid leave to its employees, including paid sick leave or paid leave, under a municipal or county ordinance that is in effect on the effective date of this Act shall be subject to the provisions of this Act if the employer would be required to provide paid leave under this Act to its employees.

Any local ordinance that provides paid leave, including paid sick leave or paid leave, *enacted or amended after the effective date of this Act* must comply with the



requirements of this Act or provide benefits, rights, and remedies that are greater than or equal to the benefits, rights, and remedies afforded under this Act.

An employer in a municipality or county that enacts or amends a local ordinance that provides paid leave, including paid sick leave or paid leave, *after the effective date of this Act* shall only comply with the local ordinance or ordinances so long as the benefits, rights, and remedies are greater than or equal to the benefits, rights, and remedies afforded under this Act.

820 ILCS 192/15(p) (emphasis added).

Given the severe consequences of not acting before the PLAWA effective date of January 1, 2024, municipalities, home rule and non-home rule alike, should enact an ordinance providing that paid leave shall only be provided in accordance with current ordinances, personnel policies or other local policies, and in accordance with collective bargaining agreements, if any. This is consistent with the approaches suggested in all the opinions obtained by IML.

In the legal opinion from Burke, Burns and Pinelli, Ltd., it was recommended that language be added to any ordinance providing that “in no event shall the municipality, as an employer, provide less than (1) day of paid leave.” We agree with this approach as a means to ensure compliance with the letter of the PLAWA.

Proposed ordinances for both home rule and non-home rule municipalities are enclosed. In preparing the enclosed model ordinances, we reviewed ordinances from the Village of Schaumburg, the Village of Palatine, and the City of Waukegan. Please let us know if you have any questions or would like to discuss this matter further.

FACT SHEET

PAID LEAVE FOR ALL WORKERS ACT

Effective January 1, 2024



The Paid Leave for All Workers Act, Public Act (P.A.) 102-1143, will require employers, including municipalities, to provide 40 hours of paid leave to employees on an annual basis.

ESTABLISHING A MINIMUM PAID LEAVE STANDARD

Beginning January 1, 2024, employers must provide employees one hour of paid leave per 40 hours worked and allow them to carry over up to 40 hours of paid leave annually. Employers may set a minimum increment of no more than two hours per day for the use of paid leave. Paid leave accrued may be taken for any reason without documentation, but employers may set leave policies that require employees to provide notice of seven days for foreseeable leave and as soon as possible for unforeseeable leave.

MUNICIPAL PAID LEAVE ORDINANCES

The Act does not require municipalities to pass paid leave ordinances. The Act does not apply to employers, including municipalities, covered by a current ordinance that requires them to provide any form of paid leave to their employees.

NON-HOME RULE MUNICIPALITIES

Non-home rule municipalities currently have authority to adopt leave ordinances for their own municipal employees, but such ordinances do not apply to other employers within the community. Those other employers will be required to provide 40 hours of paid leave annually, as outlined in the Act. If a non-home rule municipality adopts a leave ordinance for their own employees after the Act's effective date, the ordinance must comply with the minimum paid leave standard outlined in the Act.

HOME RULE MUNICIPALITIES

Home rule municipalities currently have authority to adopt paid leave ordinances that apply to all employers within their community and may continue to adopt alternative ordinances after this Act's effective date. However, employers will be required to comply with both local and state standards if those ordinances do not meet the state's minimum required benefits. Nothing in this Act preempts a home rule municipality from adopting ordinances providing broader or more expansive paid leave requirements for employers within that specific community.



EMPLOYER RESPONSIBILITIES UNDER PAID LEAVE FOR ALL WORKERS ACT

Employers will be required to maintain records documenting hours worked, paid leave accrued and taken and the paid leave balance for each employee for at least three years. Employers will also have notification responsibilities including posting a physical notice summarizing the Act, information on filing a complaint and supplying employees with notice of their amount of accrued time. Additionally, employers will be barred from retaliating against employees for using paid leave.

Employers will be subject to penalties for violations of the Act including fines of up to \$1,000 per violation of the Act's posting and notice requirements, up to \$2,500 for all other violations and possible civil penalties and damages to the employee.

EXCEPTIONS TO PAID LEAVE POLICY

The Act does not preempt or alter leave benefits subject to current collective bargaining agreements. The Act does not apply to federal employees, or school district and park district employees. Other excluded workers include: independent contractors, railroad employees subject to railroad unemployment insurance or the Railway Labor Act, part-time student employees who are employed by a college or university and short-term employees at institutions of higher education.

ADDITIONAL RESOURCES

The Illinois Department of Labor (IDOL) will monitor employer compliance and enforce the Act ([more information available via this link](#)). IDOL has compiled a list of Frequently Asked Questions about the Act ([available via this link](#)) and those particularly applicable to municipal employers are listed below. Specific questions or comments related to the Act can be submitted by email to IDOL at DOL.PaidLeave@illinois.gov.

FREQUENTLY ASKED QUESTIONS COMPILED BY IDOL

DOES THE ACT APPLY TO PART-TIME EMPLOYEES OR JUST FULL-TIME EMPLOYEES?

The Act doesn't distinguish between part-time, full-time or seasonal employees. Both full-time and part-time employees are covered by this Act. However, employees who work fewer hours may accrue less leave time compared to full-time employees.

MY COMPANY (OR MUNICIPALITY) ALREADY OFFERS EMPLOYEES 40+ HOURS OF PAID LEAVE. DOES MY POLICY NEED TO COMPLY WITH THE OTHER REQUIREMENTS OF THE ACT?

If your company has an existing policy that meets or provides the minimum amount of leave required by the Act (40 hours) in a 12-month period and your employees can in fact take that amount of leave for any reason of their choosing, you do not need to modify the terms of your policy.

IDOL expects to further clarify how existing policies meet expectations of the law in rulemaking.

MUST PAID LEAVE PROVIDED UNDER THE ACT BE PAID OUT UPON AN EMPLOYEE'S TERMINATION, RESIGNATION OR RETIREMENT?

The Paid Leave for All Workers Act (PLAWA) does not require payout of unused leave unless the leave is credited to the employee's paid time off bank or employee vacation account; however, employers should additionally consider their vacation payout obligations under the Illinois Wage Payment and Collection Act.



COOK COUNTY HAS A PAID LEAVE ORDINANCE, BUT MUNICIPALITIES ARE ALLOWED TO OPT OUT OF THAT COUNTY ORDINANCE. ARE EMPLOYERS LOCATED IN MUNICIPALITIES WHICH OPTED OUT REQUIRED TO COMPLY WITH THE ACT?

Yes, if on the effective date of the Act (1/1/24) a municipality does not have an ordinance in place that requires payment of paid sick or paid leave, then employers in that municipality shall be covered by this Act.

MAY MUNICIPALITIES OPT OUT OF PLAWA USING THEIR HOME RULE POWERS?

No. Under the Act, the only circumstance in which a municipality may avoid PLAWA coverage is if they have a local ordinance in effect that provides paid sick or paid leave or, after the effective date, if their local ordinance provides benefits, rights and remedies that are greater than or equal to those provided under the Act.

THIS COULD NEGATIVELY IMPACT LOCAL GOVERNMENTS WITH POLICE AND FIRE PERSONNEL, WHAT ARE THEY SUPPOSED TO DO?

The Act does not prohibit an employer from adopting an evenly applied paid leave policy to allow it to address operational issues and meet safety objectives. Employers of unionized employees can also address these concerns through collective bargaining.

CAN I DENY AN EMPLOYEE USE OF PAID LEAVE UNDER THIS LAW? PUT DIFFERENTLY, IS AN EMPLOYEE ALLOWED TO TAKE LEAVE UNDER THIS ACT IN ANY CIRCUMSTANCE?

Nothing in the Act prohibits an employer from adopting a policy that establishes some parameters for taking leave and limited reasons the employer may deny leave for operational necessity. Any such policy must be communicated to employees, applied equally to all employees and conform with other applicable state and federal laws.

IDOL will seek to provide further clarity regarding this issue in rulemaking.

AT WHAT INCREMENT CAN EMPLOYEES TAKE THIS LEAVE UNDER THE LAW?

An employee may take PLAWA leave at a minimum of two-hour increments, although an employer could choose to allow an employee to take leave in smaller increments. An employer whose existing policy meets the minimum requirement of 40 hours of paid time off for any reason of the Act would not have to modify that existing policy in regards to leave increments.

CAN AN EMPLOYER FRONT LOAD PAID LEAVE TIME AT THE BEGINNING OF THE YEAR?

Yes, an employer may front load paid leave time by giving a full year's worth of leave that meets the minimum requirements of the Act to an employee at the beginning of the year.

An employer may make available the minimum number of hours of paid leave, subject to pro rata requirements, a proportional share of accrued hours, under the law, at the beginning of the year for its employees.

IF OUR BUSINESS WANTS TO FRONT LOAD PLAWA BENEFITS FOR PART-TIME STAFF, DOES THE BUSINESS HAVE TO FRONT LOAD 40 HOURS OR CAN I FRONT LOAD AN AMOUNT PROPORTIONATE TO THEIR WORK SCHEDULE?

Employers may front load PLAWA benefits for part-time employees at a pro rata amount consistent with the employee's work schedule. However, if the employee in fact works more



hours than the employer anticipates, the employee is entitled to accrue more hours at a rate of 1 hour of paid leave for every 40 hours worked, up to 40 hours for the 12-month period. If a part-time employee works fewer hours than anticipated by their employer, the employer may not diminish or recoup used or unused front-loaded paid leave benefits.

CAN AN EMPLOYER REQUIRE EMPLOYEES TO ACCRUE PAID LEAVE TIME OVER THE COURSE OF THE YEAR?

Yes, instead of front loading leave benefits, an employer may allow employees to accrue or earn paid leave time at a rate of one hour of paid leave for every 40 hours worked. Notably, a part-time employee might not accrue the full 40 hours of leave provided for in the law by the end of the year, based on the number hours the employee works.

Example: Employee A works 15 hours per week, 52 weeks per year. They will accrue 19.5 hours of paid leave annually. (15 times 52 = 780 hours worked per year. 780 divided by 40 = 19.5 hours of paid leave.)

WHEN DOES ACCRUAL BEGIN UNDER THE ACT? WHEN CAN EMPLOYEES START TAKING PAID TIME OFF?

The Act takes effect January 1, 2024. Accrual begins upon the start of employment or January 1, 2024, whichever is later. Employees are entitled to begin using the accrued paid leave after 90 days. If an employee begins accruing paid leave on January 1, 2024, the first day they could take that paid time off would be March 31, 2024.

Example: The Paid Leave for All Workers Act takes effect January 1, 2024. Six months later, Employee B starts a new job on July 1, 2024, and works 40 hours per week. They start accruing paid leave on their first day (July 1) but must wait 90 days (until September 29, 2024) before taking any of their accrued paid leave.

Example: Employee C has worked for their employer since 2019 but did not previously get paid time off. Employee C will begin accruing paid time off beginning January 1, 2024 (the effective date of the Act.)

HOW DOES ACCRUAL APPLY TO EMPLOYEES WHO WORK MORE THAN 40 HOURS IN A WEEK BUT ARE EXEMPT FROM THE OVERTIME REQUIREMENTS OF THE FEDERAL FAIR LABOR STANDARDS ACT?

Employees who are exempt from the overtime requirements of the federal Fair Labor Standards Act (29 U.S.C. 213(a)(1)) shall be deemed to work 40 hours in each workweek for purposes of paid leave time accrual if they regularly work 40 or more hours in a workweek. If such employee's regular workweek is less than 40 hours, their paid leave time accrues based on the number of hours in their regular workweek.

IF AN EMPLOYER ALLOWS EMPLOYEES TO BORROW AGAINST FUTURE ACCRUAL, THEREBY MAKING THE EMPLOYEE'S PAID LEAVE BALANCE GO NEGATIVE, CAN THE EMPLOYER MAKE THE EMPLOYEE REPAY THE PAID LEAVE IF THE EMPLOYEE TERMINATES BEFORE THEY HAVE EARNED THAT LEAVE?

An employer may only make an employee repay borrowed accrued leave if that policy is disclosed in the employer's written paid leave policy and the employee agrees to that policy in writing prior to taking any leave. All payroll deductions must comply with the requirements of the Illinois Wage Payment and Collection Act.



IF AN EMPLOYER FRONTLOADS AN EMPLOYEE’S PAID LEAVE AT THE BEGINNING OF THE 12-MONTH PERIOD, AND THE EMPLOYEE USES ALL OF THEIR LEAVE AND THEN QUILTS BEFORE THE END OF THE 12-MONTH PERIOD, CAN THE EMPLOYER MAKE THE EMPLOYEE REPAY THE PAID LEAVE?

No, the law does not allow an employer to make an employee repay paid leave time that was frontloaded at the beginning of the 12-month period. Benefits that have already been provided may not be retroactively diminished.

HOW CAN AN EMPLOYER TRACK THE TIME REQUIRED UNDER THIS ACT VERSUS OTHER BENEFIT TIME GIVEN TO THE EMPLOYEE?

The Act requires employer tracking of paid time off for any reason. If the employer chooses to offer paid sick time or other forms of paid time off in addition to paid leave, they should track that too as a best practice, but it is not covered by this Act.

IS THERE A DIFFERENCE BETWEEN “VACATION” AND “PTO” (PAID TIME OFF)?

Generally speaking, PTO is leave that can be taken for any reason or no reason at all and may not have to be paid out to an employee upon separation. Leave specified as “vacation” leave is subject to pay out pursuant to Section 4 of the Wage Payment and Collection Act.

HOW WILL PLAWA INTERACT WITH FMLA?

The Family and Medical Leave Act (FMLA) is unpaid job protected leave that can only be used by covered employees in covered circumstances. Employees going on FMLA may use PLAWA time concurrently during their FMLA leave. [All FMLA questions should be directed to the [United States Department of Labor](https://www.dhs.gov/eis-offices/eis-office-of-labor)]

HOW DOES CARRY OVER, ALSO KNOWN AS “ROLL OVER,” WORK UNDER THIS LAW?

Employees are allowed to carry over or roll over unused, accrued leave from one year to the next under this law. However, there is no obligation for the employer to offer more than 40 hours of paid leave off in a year. An employer may offer more than the 40 hours off if they choose.

HOW DOES THIS LAW INTERACT WITH OTHER UNPAID LEAVE PROTECTIONS?

An employee covered under the Act is entitled to use paid leave under the Act before using unpaid leave under any employer policy or other state law.

WHEN WILL IDOL HAVE RULES IN PLACE FOR THIS ACT?

The Department anticipates filing a draft of the rules before the effective date of this Act. Under the rulemaking process there will then be a public comment period on those rules and a time period for the Department to make any changes. Finalized rules should be in place before March 31, 2024.

WHEN WILL THE NOTICE THAT IS REQUIRED IN THE ACT BE AVAILABLE FROM THE DEPARTMENT?

The required notice will be on our website by the end of 2023.