

Salary posting requirements for IMRF employers

Many townships have raised questions about a relatively new law that requires the posting of certain salary information. This law only applies, however, to public bodies, including townships, that are enrolled in the Illinois Municipal Retirement Fund (“IMRF”). Accordingly, if your township is in the IMRF, you should be aware of the law and ensure you are complying with the posting requirements.

Effective January 1, 2012, the Open Meetings Act was amended to provide that within 6 days after approval of a budget, an IMRF employer must post the total compensation package for each employee receiving a total compensation package that exceeds \$75,000 a year. 5 ILCS 120/7.3(a). The term “total compensation package” is defined to include salary, health insurance, housing allowance, vehicle allowance, clothing allowance, bonuses, loans, vacation days granted and sick days granted. 5 ILCS 120/7.3(c). This information can be posted on your website or posted at your township hall. However, if you decide to post the information at your township hall, your website must still contain information on how to access the information. An example is as follows:

The Township is required by Illinois law to disclose a list of employees expected to receive a total compensation package greater than \$150,000 six days prior to approval of the compensation package. Within 6 business days after approving the annual budget, the Township is also required to provide a list of all employees that are expected to receive a total compensation package of greater than \$75,000. Total compensation package is defined to include, where applicable, an employee’s salary, health insurance, housing allowance, vehicle allowance, clothing allowance, bonuses, loans, vacation days granted and sick days granted.

The aforementioned information is posted at _____ and may be viewed during normal business hours. You may also obtain a copy of the list by contacting the Township’s FOI Officer.

In addition to the requirement to post compensation information after the budget, there is also a special posting requirement for compensation packages of \$150,000 or more. Prior to a total compensation package of \$150,000 or more being approved by an IMRF employer, it must first be posted for at least 6 days. Accordingly, at any time prior to hiring an employ who will have a compensation package of \$150,000 or more, such must be posted for at least 6 days prior to the approval of the compensation package. Such compensation packages, when approved in the budget, for existing employees, should also be posted at least 6 days prior to the approval of the budget.

As many employees are likely to see this as a sensitive area, a discussion to alert them of these requirements may be warranted. Likewise, if your township is an IMRF employer and thus subject to these requirements, you are encouraged to determine the total compensation package of your employees and post the information as required, if said posting has not already been

done. Similar reviews, and postings where necessary, should be done during the township's budget process and prior to hiring any new employees.