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ADDITIONAL AGENDA MATERIAL

MINIMUM WAGE & PAID SICK LEAVE WORKING GROUP
Monday, January 22, 2018 at 7:00 P.M.
Village Hall Training Room
1200 Wilmette Avenue, Wilmette, IL 60091

1. Revised Summary Matrix of Cook County Ordinances
 - Cells highlighted in yellow have been updated

2. Additional Resident Communications

Cook County Ordinances on Minimum Wage and Mandatory Paid Sick Leave (January 22, 2018)

	<u>Minimum Wage</u>	<u>Mandatory Paid Sick Leave</u>
Definition of Employer	Any entity with any place of business in Cook County, or licensed by Cook County, with 4 employees one of which is a “Covered Employee” or just 1 “Domestic Worker”* *Based on Cook County’s Administrative Rules	Any entity with any place of business in Cook County with 1 or more “Covered Employees”
Definition of Employee	Works 2 hours in any 2 week period	Works 2 hours in any 2 week period
Jurisdiction	Employees who perform work in covered portions of Cook County, regardless of the location of their business office, may be entitled to the County Minimum Wage only for that work	Employees who perform work in covered portions of Cook County, regardless of the location of their business office, may be entitled to the County Sick Leave.
Exemptions	All Units of Government other than Cook County	All Units of Government including Cook County
Applies to persons under 18	No	Yes
Applies to seasonal/temporary employees	No, for up to the first 90 days of employment	No, as a practical matter, if the employer restricts accrual of sick leave benefit time for the first 180 days of employment. After the first 180 days, the employee is eligible for sick leave benefits
Applies to Independent Contractors	No* *The determination of whether a worker (e.g. occasional babysitters/childcare providers and housekeepers) is an independent contractor or an employee is fact based and is potentially nuanced. Accordingly, as there is no bright line rule, the County’s determination will be made on a case-by-case basis.	No* *The determination of whether a worker (e.g. occasional babysitters/childcare providers and housekeepers) is an independent contractor or an employee is fact based and is potentially nuanced. Accordingly, as there is no bright line rule, the County’s determination will be made on a case-by-case basis.

The interpretation and enforcement of the Cook County Ordinances is provided by the Cook County Commission on Human Rights which may provide differing opinions than what is contained within the Village of Wilmette materials. To date, there are no court rulings on any of provisions of the Cook County Ordinances, which may further provide interpretation of the Cook County Ordinances.

	<u>Minimum Wage</u>	<u>Mandatory Paid Sick Leave</u>
Collective Bargaining Agreements	Does not apply to employees covered under Collective Bargaining Agreements (“CBA”) on or before July 1, 2017 and for those CBAs that have waived the ordinance requirements.	Does not apply to employees covered under Collective Bargaining Agreements (“CBA”) on or before July 1, 2017 and for those CBAs that have waived the ordinance requirements.
Current Illinois Law	Non – Tipped Employees: \$8.25/hr. Tipped Employees: Guaranteed \$8.25/hr (base pay of \$4.95/hr. to be paid by employer).	No paid sick leave benefits
Benefits provided by Cook County Ordinances	Non – Tipped Employees: July 1, 2017 \$10.00/hr. July 1, 2018 \$11.00/hr. July 1, 2019 \$12.00/hr. July 1, 2020 \$13.00/hr. July 1, 2021 and future: Annual CPI Increase	Accrual Rate – 1 hour sick leave per 40 hours of work Max. Yearly Accrual – 40 hours per 12 month period Max. Carryover – 20 hours to next 12 month period Total Max. Accrual – 60 hours
Benefits provided to Tipped Employees	July 1, 2018 and future: The minimum wage rate will adjust by the annual CPI increase.	Same as all other covered employees

The interpretation and enforcement of the Cook County Ordinances is provided by the Cook County Commission on Human Rights which may provide differing opinions than what is contained within the Village of Wilmette materials. To date, there are no court rulings on any of provisions of the Cook County Ordinances, which may further provide interpretation of the Cook County Ordinances.

From: [Jon Marshall](#)
To: [Braithman, Michael](#); jjacoby@sbglobal.net
Subject: Re: Working Group Agenda Materials- 1/22
Date: Friday, January 19, 2018 4:07:54 PM

Mike,

Thank you very much for continuing to keep me and the rest of the community informed of the progress of the working group. I appreciate all of the work that you and the rest of the staff have put into this since the last meeting. I'm going to try to make it to Monday's meeting, but in case I can't I'd like to share the following questions and suggestions about the proposed questionnaires:

- The wording of the paid sick leave description on p. 3 of the employer survey could be interpreted by respondents to mean that they would have to grant 40 hours of sick leave once an employee has worked 80 hours. I don't think that's what is intended. As alternative wording, with the changes in bold face, I suggest: "For any employer with one or more employees of all ages, the Cook County Paid Sick Leave Ordinance mandates **that employees who work at least 80 hours over a 120-day period be allowed to take one hour of sick leave for every 40 hours worked up to 40 hours of paid sick time off per 12-month period.** Employees may **carry up to 20 hours of unused paid sick time over into the next year but accrue no more than 60 hours.** Employers who already provide a minimum of 60 hours of paid time off (including paid vacation and holidays) are not required to provide additional time."

- For the municipal staff survey, I suggest asking the simple question: "Based on licenses, permits and other data, how many business have opened in your municipality since July 1, 2017, and how many have closed since July 1, 2017." This would yield actual data and could replace all of the other questions.

- Unless you are able to contact a large, representative sampling of businesses in Evanston, Skokie, Winnetka and Glencoe, which would be very time-consuming for staff, I question how valid the verbal interviews would be for that questionnaire. I suggest dropping this survey. If you do go ahead with it, I recommend including neighborhoods on the north side of Chicago, which has had similar ordinances in place for a longer period of time.

Sincerely,
Jon

On Thu, Jan 18, 2018 at 4:36 PM, Braithman, Michael <braithmanm@wilmette.com> wrote:

Good Afternoon,

Attached please find a PDF with the agenda materials for Monday night's Minimum Wage & Paid Sick Leave Working Group meeting. The meeting is scheduled for 7pm at Village Hall in the 2nd Floor Training Room. Our primary goals for the meeting are to approve the summary matrix of the Cook County Ordinances and finalize the questions to ask of our various information sources and the methods to do so. You will find supporting material for

these items in the attachment.

You can also access the agenda materials through our website: https://www.wilmette.com/download/agendas_and_minutes/minimum_wage_sick_leave_working_group/packets/Working-Group-Packet-1-22-18.pdf

Please do not hesitate to contact me with any questions or concerns.

-Mike

Michael Braiman

Assistant Village Manager

Village of Wilmette

[847-853-7506](tel:847-853-7506)

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Jon Marshall
(847) 846-1677 - cell
jhmwriter@gmail.com

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From: [JudyDuke](#)
To: [Briman, Michael](#)
Subject: Minimum Wage and Sick Leave
Date: Monday, January 22, 2018 11:38:09 AM

To Chair John Jacoby and members of the Committee:

We support increasing the minimum wage in Wilmette according to the Cook County ordinance and requiring that Wilmette employers provide paid sick leave.

We are a wealthy community by local and national standards. We have a moral obligation to pay reasonable wages for services performed by employees of local businesses; and we have a moral obligation to require that local employers provide a reasonable amount of paid sick leave. It is simply unconscionable to expect people who work for a living to be paid less than a living wage and to be penalized for getting sick. The Wilmette community is better than that. We can afford to pay fairly for the services we receive from local businesses.

Respectfully,
Judy Goodie and Dorian Rigger
436 Prairie
Wilmette

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From: ckek816@aol.com
To: [Braiman, Michael](#)
Subject: This seems to be a waste of time, effort and money
Date: Friday, January 19, 2018 12:46:47 PM

I would start with surveying Wilmette businesses to find out how many do NOT pay the minimum wage? If that percentage is very low, which the Chamber suggested it is, why is a study necessary? What is the purpose of the study with regard to Wilmette businesses? The answers will impact my willingness to vote for further tax levies and for board members who waste taxpayer money on useless studies of things that do not need to be studied. In this I believe that folks on both sides of the aisle can agree. By trying to mollify everybody, you are pleasing nobody.

Sincerely,

Carole Kagan

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From: [David Price](#)
To: [Braithwaite, Michael](#)
Subject: Minimum Wage Survey
Date: Monday, January 22, 2018 9:00:10 AM

There are many reasons small businesses struggle or fail but most frequently mentioned are:

Undercapitalized

Lack of a viable, flexible marketing plan or strategy

Not understanding what your customer base is or wants

Inability to grow revenue or know how

Location and the cost of rent for that location on business

Loss of a major account on a business

Continue to service unprofitable accounts

Economic or other factors outside the business's control

Difficulty in attaining bank financing

New tax laws affecting ability to use home equity loans for financing your business.

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Date: January 11, 2018

To: Minimum Wage & Paid Sick Leave Working Group

From: Michael Braiman, Assistant Village Manager
John Prejzner, Assistant Director of Administrative Services

Subject: Minimum Wage & Paid Sick Leave Questionnaires

At the conclusion of the Working Group's January 8, 2018 meeting, Chair Jacoby asked members of the Group, as well as the public, to submit recommended questions the Village should ask various sources of information. To help facilitate this process, Village Staff, working with Chair Jacoby, have prepared draft questionnaires for the Working Group's consideration.

There are five sets of questionnaires, each drafted specifically for the following sources of information:

- Wilmette business owners
- Employees of Wilmette businesses
- Business owners in North Shore communities which have not opted out of the Cook County ordinances (Evanston, Skokie, Winnetka, Glencoe)
- Village Staff in North Shore communities which have not opted out of the Cook County ordinances
- Landlords and Brokers who regularly work in the North Shore

Challenges with Data Collection

It is important that the Working Group and community recognize the challenges associated with soliciting information from the sources listed above. While the Village Staff will do its best to obtain information, none of these sources is obligated to respond. While the Village will make every effort to ensure anonymity, it should be anticipated that a number of potential respondents (business owners and employees alike) may choose to ignore the survey, feel that the questions are intrusive, or that the information requested is of a proprietary nature.

Goals for January 22nd meeting

To ensure that the Working Group can complete its work by the end of April, thereby allowing the Village Board to reconsider the Cook County Ordinances prior to July 1st (the effective date of the next minimum wage increase), the primary goal for the January 22nd meeting is to finalize the set of questions to ask the sources of information listed above. Once the Working Group has agreed on the questions, a final review will be conducted by the Village's third party survey and research expert prior to the release

of the questionnaires. This review will help ensure that the questions are unbiased and drafted in a manner which facilitates productive responses.

To help facilitate an effective meeting on January 22nd, Working Group members are asked to review the draft questionnaires and provide their suggested changes/additions/deletions to Assistant Village Manager Mike Braiman no later than Tuesday, January 16th. Based on this feedback, the questionnaires will be revised and presented as part of the Working Group's January 22nd agenda materials.

Goals for the February 5th meeting

Once the questionnaires have been finalized, the Working Group can turn its attention to the following:

- Finalize the quantitative data that the Working Group is seeking and identify where this information can be obtained
 - This will be a continuation of the January 8th discussion which included topics such as employment growth in the City of Chicago, CPI, Illinois Department of Employment Security Data, etc.
- Explore in greater detail the relevant scientific literature to provide to the Village Board regarding paid sick leave
- Identify meta-analysis regarding minimum wage which would be helpful to the Village Board
- Determine the appropriate methods to solicit feedback from the community

**Minimum Wage & Paid Sick Leave Questionnaire
Business Owners and Other Covered Employers
DRAFT**

The Village of Wilmette has opted out of the Cook County ordinances mandating an increased minimum wage and paid sick leave. The Village is studying these issues and intends to reconsider them over the next several months. Your feedback will be important in helping the Village Board formulate its policy. This questionnaire is designed to help the Village Board understand the impacts of the County ordinances while ensuring anonymity and confidentiality to those who respond.

General Questions

Type of Business or Employing Enterprise (hereafter collectively called "Business"):

_____ Retail _____ Restaurant _____ Service _____ Professional Service

_____ Other (Please state, in general terms, the industry or nature of the Business):

During a typical week:

The Total Number of Employees Employed by Your Business _____

The Number of Full-Time Employees (Working 30 hours or more per week):

_____ Less than 5 _____ 5 – 10 _____ 11 – 24 _____ More than 25

The Number of Part-Time Employees (Working less than 30 hours per week):

_____ Less than 5 _____ 5 – 10 _____ 11 – 24 _____ More than 25

The Number of Seasonal/Temporary Employees (Working less than three months per year):

_____ Less than 5 _____ 5 – 10 _____ 11 – 24 _____ More than 25

Years Your Business Has Operated in Wilmette:

_____ Less than 3 _____ 3 – 10 _____ More than 10

Minimum Wage Questions

For any employer with one or more employees, the Cook County minimum wage ordinance mandates the following wage rates:

- *July 1, 2017: \$10.00 per hour*
- *July 1, 2018: \$11.00 per hour*
- *July 1, 2019: \$12.00 per hour*
- *July 1, 2020: \$13.00 per hour*
- *July 1, 2021 and future years: Annual CPI Increase*

As of July 1, 2017 tipped employees must make at least \$8.25 per hour worked. Employers of such employees must provide a base wage of \$4.95 per hour and make up any shortfalls in customer gratuities that would result in an employee earning less than \$8.25 per hour. This rate will increase annually per the increase in the CPI, but annual increases shall not exceed 2.5%.

The Cook County Minimum Wage ordinance does not apply to individuals under the age of 18.

Wage Rates (Current Workforce):

Number of full-time employees paid less than the following:

\$11.00/hour: _____ \$12.00/hour: _____ \$13.00/hour _____

Number of part-time employees paid less than the following:

\$11.00/hour: _____ \$12.00/hour: _____ \$13.00/hour _____

Number of seasonal/temporary employee paid less than the following:

\$11.00/hour: _____ \$12.00/hour: _____ \$13.00/hour _____

What is the lowest wage rate paid to a full-time employee in your Business: \$_____

How much **additional in wages and benefits** would it cost your Business annually if the minimum wage rate increased to \$11.00/hour on July 1, 2018 (assuming your work force remains the same)?

How much **additional in wages and benefits** would it cost your Business annually if the minimum wage rate increased to \$13.00 per hour on July 1, 2020 (assuming your work force remains the same)?

Based on your understanding of the Cook County Minimum Wage Ordinance, ~~what do you believe the impact on your Business operations would be if the County ordinance applied (examples: No impact, force my Business to reduce profits, increase prices, or~~

~~reduce hours for employees; allow my Business to more easily attract and retain qualified employees; allow my business to provide higher wages without being undercut by competitors; etc.):~~

What positive impacts, if any, would the minimum wage ordinance have on your employees?

What positive impacts, if any, would the minimum wage ordinance have on your business operations?

What negative impacts, if any, would the minimum wage ordinance have on your employees?

What negative impacts, if any, would the minimum wage ordinance have on your business operations?

Do you think potential customers would be more or less likely to patronize Wilmette businesses if they knew all businesses in Wilmette adhered to the Cook County minimum wage ordinance?

Much more likely to patronize Wilmette.....somewhat more likelywould make no differencesomewhat less likelyvery much less likely.....

Paid Sick Leave Questions

For any employer with one or more employees of all ages, the Cook County Paid Sick Leave Ordinance mandates up to 40 hours of paid sick time off for employees who work at least 80 hours over a 120-day period (approximately 5 hours per week on average). Employees may accrue up to a maximum of 60 paid sick leave hours. Employers who

already provide a minimum of 60 hours of paid time off (including paid vacation and holidays) are not required to provide additional time.

Does your Business offer paid time off to full-time employees (as defined above)?

_____ Yes _____ No

If yes, what benefit is provided?

Does your Business offer paid time off to part-time employees (Working less than 30 hours per week)?

_____ Yes _____ No

If yes, what benefit is provided?

Does your Business offer paid time off to seasonal/temporary employees (as defined above)?

_____ Yes _____ No

If yes, what benefit is provided?

How do you currently track and administer payroll and time off (e.g., manually, computer program, ADT)?

What changes, if any, would your Business have to make to track and administer the Cook County Paid Sick Leave ordinance? Explain the impact these changes may have on your business.

Based on your understanding of the Cook County Paid Sick Leave ordinance, what do you believe the impact on your Business operations would be if the County ordinance applied (examples: ~~No impact, allow my business to more easily attract and retain qualified employees; allow my business to provide this benefit without being undercut by competitors; encourage my employees not to come to work when sick; force me to reduce profits, increase prices, or reduce hours for employees; result in abuse of the benefit and disruptive absences; etc.~~); THESE ARE VERY LEADING RESPONSES AND SHOULD NOT BE INCLUDED IN THE QUESTIONNAIRE. BETTER TO HAVE OPEN ENDED RESPONSES TO TRULY GUAGE WHAT PEOPLE THINK.

What positive impacts, if any, would paid sick leave have on your employees?

What positive impacts, if any, would paid sick leave have on your business operations?

What negative impacts, if any, paid sick leave have on your employees?

What negative impacts, if any, would paid sick leave have on your business operations?

Do you think potential customers would be more or less likely to patronize Wilmette businesses if they knew all businesses in Wilmette adhered to the Cook County ordinance and provided paid sick leave for employees?

1. Much more likely to patronize Wilmette businesses
2. somewhat more likely
3. would make no difference
4. somewhat less likely
5. very much less likely.....

SET THIS UP AS A LIKERT SCALE WITH MIDDLE BEING "NO DIFFERENCE"

Minimum Wage & Paid Sick Leave Questionnaire
Employees
DRAFT

As you may know, the Village of Wilmette has opted out of the Cook County ordinances mandating a minimum wage and paid sick leave. The Village is studying these issues and intends to reconsider them over the next several months. Your feedback will be important in helping the Village Board formulate its policy on these matters. This questionnaire is designed to help the Village Board better understand the impacts of the County ordinances **on Wilmette employees** while ensuring anonymity and confidentiality to those who respond.

General Questions

In what city or town do you live?

About how long does it take you to commute to work each day? _____

What type of business or other entity do you work for in Wilmette?

_____ Retail _____ Restaurant _____ Service _____ Professional Service

_____ Other (Please state, in general terms and without identifying your specific employer, the nature of your employer's business or activity):

How long have you worked for this Wilmette employer:

_____ Less than 3 yrs _____ 3 – 5 yrs _____ 6 – 10 yrs _____ More than 10

How many hours do you work during a typical week for this Wilmette employer:

What is your current hourly wage?

Are you the primary source of income for your household?

_____ Yes _____ No

How many separate jobs (different employers) do you have:

Are you actively looking for a new job with a different employer?

_____ Yes _____ No

If yes to the above, is either of the following important to you in your job search:

That the job is in a community with the minimum wage set by the County?

_____ Yes _____ No

That the job is in a community with the paid sick leave required by the County?

_____ Yes _____ No.

What would the impact be on you if Wilmette's minimum wage was increased to \$11.00 per hour on July 1, 2018, \$12.00 per hour on July 1, 2019, and \$13.00 per hour on July 1, 2020? How would it affect your life, if at all?

Do you receive paid time off now (sick days, vacation, holidays, etc.):

_____ Yes _____ No

If yes, how much paid time off do you receive each year?

Do you have dependents (children or other family members) who look to you for care when they're sick?

_____ Yes _____ No

Please answer the next two questions only if you do not currently receive paid time off from your employer.

If you are sick, do you sometimes come to work anyway because you need the pay? If a family member is sick, do you sometimes come to work anyway rather than care for the sick family member? Please explain how you handle these situations.

What would the impact be on you if your employer was required to provide paid sick leave? How would it affect your life, if at all? Please explain.

**Minimum Wage & Paid Sick Leave Questionnaire
Businesses in Skokie, Evanston, Winnetka, Glencoe
DRAFT**

THIS WILL BE A VERBAL INTERVIEW CONDUCTED BY THE VILLAGE'S
COMMUNITY DEVELOPMENT STAFF

Location of Business:

Type of Business:

_____ Retail _____ Restaurant _____ Service _____ Professional Service

_____ Other (identify in general terms)

Number of Full-Time Employees (Working 30 hours or more per week):

_____ Less than 5 _____ 5 – 10 _____ 11 – 24 _____ More than 25

Number of Permanent Part-Time Employees (Working less than 30 hours per week):

_____ Less than 5 _____ 5 – 10 _____ 11 – 24 _____ More than 25

Number of Seasonal/Temporary Employees (Working less than 3 months per year):

_____ Less than 5 _____ 5 – 10 _____ 11 – 24 _____ More than 25

Did you increase wages as a result of the Cook County Minimum Wage Law?

_____ Yes _____ No **If yes, please tell me what you did and how many people it affected** _____

If yes, how did the increased wages impact business operations? (e.g., higher prices, fewer hours worked, reduced profit margin, improved employee morale, increased productivity, allowed for the recruitment of more qualified employees, etc.) AGAIN THESE ARE LEADING QUESTIONS. BETTER TO ASK AS OPEN ENDED QUESTION AND THEN SAY "CAN YOU TELL ME MORE". HOWEVER, IF HAVE TRAINED INTERVIEWER, THESE POSSIBLE REPOSSES COULD BE USED AS

PROMPTS/PROBES. TO DO THIS WOULD NEED TO DIVIDE INTO POSITIVE AND NEGATIVE PROBES AND RECORD WHICH WERE USED.

What has been the impact on employees or customers due to the Cook County ordinances?

How do you track and administer the Paid Sick Leave benefit?

If you were to consider relocating or expanding your business, would the status of the Cook County Minimum Wage ordinance in the proposed location be a factor in your decision?

If you were to consider relocating or expanding your business, would the status of the Cook County Paid Sick Leave ordinance in the proposed location be a factor in your decision?

**Minimum Wage & Paid Sick Leave Questionnaire
Municipal Staff
DRAFT**

THIS WILL BE A VERBAL INTERVIEW CONDUCTED BY THE VILLAGE'S
COMMUNITY DEVELOPMENT STAFF

What impact, **if any**, do you believe the Cook County Ordinances have had on your existing business community?

Do you have any statistical data that can be used to compare business activity before the ordinances to business activity after the adoption of the ordinances, like sales taxes, business licenses, chamber of commerce membership, etc.? **EXCELLENT QUESTION-DATA!**

~~Are you aware of any businesses that have closed since the Cook County ordinances have been in effect who have attributed their closure at least in part to the ordinances?~~

Since the Ordinances went into effect on July 1, 2017, has there been a noticeable difference in the number of new business openings or closings?

Are you aware of any businesses that have closed since the Cook County ordinances have been in effect who have attributed their closure at least in part to the ordinances?

What strategies are businesses utilizing ~~to cope with~~ **to meet the requirements the** impacts of the Cook County ordinances?

What ~~concerns- feedback~~ have businesses ~~expressed~~ **shared** regarding scheduled future increases in the Cook County Minimum Wage?

What do you believe the impact of the Cook County Ordinances have had on your ability to recruit new businesses (positive / negative / no impact)?

Do you have any statistical data that can be used to compare business activity before the ordinances to business activity after the adoption of the ordinances, like sales taxes, business licenses, chamber of commerce membership, etc.?

THIS IS A VERY IMPORTANT QUESTION SO I HAVE MOVED IT UP.....ISSUE -IS THERE ANY REAL DATA OR ALL SPECULATION??????

Minimum Wage & Paid Sick Leave Questionnaire
Landlords and Brokers on the North Shore
DRAFT

**I DON'T KNOW HOW USEFUL THIS PART
OF SURVEY WILL BE UNLESS THESE
LANDLORDS AND BROKERS ACTUALLY
HAVE DATA---OTHERWISE ALL
SPECULATION**

THIS WILL BE A VERBAL INTERVIEW CONDUCTED BY THE VILLAGE'S
COMMUNITY DEVELOPMENT STAFF

Has the Village of Wilmette's action to opt out of the Cook County Minimum Wage and Paid Sick Leave requirements had any impact on your sale or rental of commercial property in Wilmette?

_____ Yes _____ No

what data do you have to

support this? Please

elaborate.

If the Village were to opt-in to the Cook County requirements, ~~would it be a deterrent in your opinion~~ what impact, if any, do you think it would have on attracting new tenants and businesses to Wilmette?

_____ Yes _____ No

Please elaborate.

What are the primary obstacles to attracting new tenants/businesses to Wilmette? (e.g., cost of purchasing/renting, governmental red tape, lack of suitable space, high real estate taxes, high cost of utilities, lack of other businesses that attract foot traffic, etc.).

Is the ability to recruit low-wage employees a factor?

In your opinion, what would be the impact to the Wilmette business climate (if any) were the Village were to opt in to the Cook County Minimum Wage & Paid Sick Leave laws?
