

ORDINANCE No. 186936

*Adjust application of City Protected Sick Time for City casual employees (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 185926, approved by the Council on March 13, 2013, added Title 9 to the Portland City Code (PCC) to require Protected Sick Time for employees of Portland businesses and employees of the City.
2. PCC 9.01 requires employers to provide employees working within the geographical boundaries of the City with a minimum of one hour of Sick Time for every 30 hours of work performed, and up to a maximum use of 40 hours of Sick Time in a year, unless otherwise allowed by the employer.
3. The City's casual employees accrue City Sick Time at the rate of one hour for every 30 hours worked and may carryover over 40 hours of sick leave in a new calendar year as required under PCC 9.01.
4. Regular City employees (permanent, temporary, limited duration) accrue sick leave at a higher accrual rate and may carryover all sick leave.
5. Under the Oregon Public Employee Retirement System (PERS), the City reports to PERS the accumulated unused sick leave accruals for employees annually. For PERS purposes, the maximum sick leave accrual rate is the lowest rate of accrual for any employee who is entitled to sick leave.
6. Because the City has different accrual rates for different employees, the allowed rate for PERS purposes will be based on the lower accrual rate earned by casual employees, which will reduce the accrued and unused sick leave accruals reported for all regular employees.
7. To avoid this result, the amount of City Sick Time a City casual employee may accrue and use during a calendar year will need to be increased.
8. No increase will be made to the amount of City Sick Time that can be carried over into the following year by City casual employees.
9. This ordinance does not change sick leave accrual rates for City regular employees.
10. This ordinance does not change Oregon PERS benefits for City employees.

NOW, THEREFORE, the Council directs:

- a. That it is in the interest of the City to address the impact of PCC 9.01 on the amount of unused sick leave accruals reported to Oregon PERS for regular employees.
- b. City casual employees shall accrue City Sick Time at the rate of one hour for every 20 hours of work performed.
- c. City casual employees may carry over into the next calendar year up to 40 hours of unused City Sick Time.
- d. City casual employees may use any accrued and unused City Sick Time, subject to the provisions of City's Human Resources Administrative Rules or applicable collective bargaining agreement; usage is no longer limited to 40 hours in a calendar year.
- e. These adjustments to the accrual and use of City Sick Time for City of Portland casual employees are effective as of January 1, 2014.
- f. The Council acknowledges the need to fund the significant on-going cost for Portland Parks and Recreation (PP&R) estimated at \$105,417 per year and directs the City Budget Office to increase PP&R's ongoing current appropriation level by that amount beginning in fiscal year 2015-16.
- g. Additionally, the City Budget Office is directed to reserve \$105,417 of General Fund contingency to be appropriated as part of the FY 2014-15 Spring Budget process for this ordinance.
- h. This ordinance is binding City policy.

Section 2. The Council declares that an emergency exists in order that these adjustments are applied to the current calendar year and correspond to the date that Protected Sick Leave was implemented; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

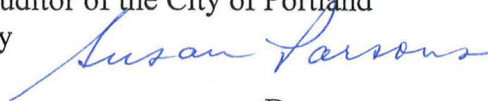
Passed by the Council: DEC 17 2014

Mayor Charlie Hales
Office of Management and Finance
Prepared by: Anna Kanwit: DR
Date Prepared: December 8, 2014

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

1319

v14b

Agenda No. **186936**

ORDINANCE NO.

Title

*Adjust application of City Protected Sick Time for City casual employees (Ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p> <p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Bureau of Human Resources</p> <p>OMF CAO: Fred Miller <i>[Signature]</i></p> <p>Bureau Head: Anna Kanwit</p> <p>Prepared by: AK:DR:ss <i>[Signature]</i></p> <p>Date Prepared: December 8, 2014</p> <p>Financial Impact & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: Catherine Rife, Chief Deputy City Attorney required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date: December 17, 2014</p>	<p>CLERK USE: DATE FILED <u>DEC 12 2014</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 10 minutes (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Novick	4. Novick <input checked="" type="checkbox"/>	
Hales	Hales <input checked="" type="checkbox"/>	