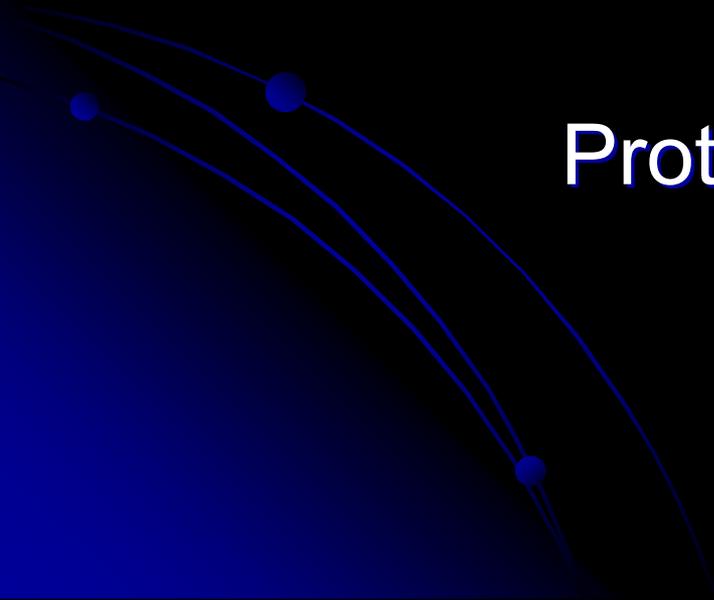


Ordinance Providing Sick Leave Standards for Portland Businesses

Protected Sick Leave



Purpose of Protected Sick Leave

- Establish Minimum Public Health Standards in the Workplace. Working while sick is a public health issue.
- Maintain work place productivity. Working while sick affects individual and collective productivity in our workforce.
- Prevent spread of disease throughout our schools. Sick children compromise the health of other families and ultimately the work place.

Facts about Business & Sick Leave

- ◆ Approximately 60% of employees in Portland receive some sick leave.
- ◆ The 40% of employees that receive no sick leave are disproportionately people of color and those earning minimum wage.
- ◆ Nationally only 1 in 5 of the lowest income workers have paid sick leave.
- ◆ Restaurant employees and child care workers are the least likely to have any kind of paid sick leave

Employees Without Sick Leave by Occupation

Occupation	Percent without sick leave
Construction and extraction	68%
Personal care and service	81%
Food preparation and service	81%
Sales and Related Occupations	44%

General Sick Leave Facts

- ◆ Parents without paid sick leave are twice as likely to send a sick child to school.
- ◆ It is estimated that working while sick costs the U.S. approximately \$160 billion annually.
- ◆ Approximately 145 out of 196 countries provide some form of mandated paid sick leave. The United States is not among them.
- ◆ Other major cities have already adopted paid sick leave standards: San Francisco in 2007; Washington D.C. in 2008; and Seattle in 2012.

Portland's Proposed Earned Sick Leave

- All employees who work within Portland earn 1 hour of protected sick time per 30 hours worked.
- In Businesses with 6 or more employees earned sick time is paid at the employee's base hourly rate.
- In Businesses with 5 or fewer employees this earned sick time is unpaid.
- When an employee has worked 240 hours and accrued 8 hours of protected sick time they are then eligible to begin using it.

Portland's Proposal Cont'd:

- An employee can use a maximum of 40 hours of sick time in a calendar year.
- Unused sick time automatically rolls over to the next calendar year; however, the employee may only use a maximum of 40 hours of earned sick time in any calendar year.
- Businesses already providing 40 hours of annual Paid Time Off (PTO) that can also be used for medical leave are not required to provide additional sick leave.

Protected Sick Leave may be used for:

- Personal medical care for physical or mental illness, pregnancy and childbirth, and preventative health care.
- Care of family members for the allowed uses.
- Purposes described in ORS 659A.272 for domestic violence, harassment, sexual assault or stalking.
- Quarantine, or closure of place of employment or school by order of public health officials.

Additional Portland Sick Leave Terms

- Employees are not required to find replacement workers when they use sick leave.
- If allowed by the Employer, an Employee who is sick may choose to trade shifts with another employee.
- Rights and Responsibilities for employees and employers are defined, including: written documentation, abuse of sick time, shift trading and communication protocols

San Francisco Paid Sick Leave

- Sick leave is earned by all employees.
- Sick leave is earned at a rate of 1 hour per every 30 hours worked.
- Employees in businesses with 9 or fewer employees can earn up to 40 hours per year.
- Employees in businesses of 10 or more workers earn up to 72 hours of sick leave per calendar year.
- 25% of all employees took no sick days last year.
- Median use of sick leave = 3 days.

Seattle Sick Leave

- 4 - tiered approach.
- Businesses with 3 or fewer employees are exempt.

Small Employer	Medium size	Large Size
4-49 Employees	50 to 250	251 or more
1 hr earned for every 40 hours worked	1 hour for every 40 hours worked	1 hour earned for every 40 hours worked
May use 40 hours per year	May use 56 hours per year	May use 72 hours per year

Estimated Costs

- The achievement of a healthy work place does not come without cost.
- U.S. Bureau of Labor statistics indicate that costs are minimal.
- Estimates show that Northwest businesses with paid sick leave devote less than 1% of their payroll to this expense.
- Each business will be affected differently based upon the type of occupation.

Case Example in San Francisco

- Business owner with 32 employees.
- Estimated annual cost of 9 sick days each: \$18,000 for all employees.
- In practice: Annual cost less than \$2,000 per year or approximately \$65/ employee

Enforcement & Education

- Brochures and mailings will be sent to city businesses.
- Businesses will be required to post city code requirements in different languages.
- Administrative Rules must be adopted by August 31, 2013.
- Enforcement will occur through a contract for services with the State Bureau of Labor and Industries (BOLI).

Earned Sick Leave Timeline & Activities

January – December, 2012

- Stakeholders, including local business owners, unions, and advocacy groups, meet.
- Advocacy groups conduct extensive outreach to small businesses and the general public.
- Commissioners Fritz, her staff and Saltzman's staff meet three times with stakeholders to help craft legislation.
- A coalition of advocates gather community support by canvassing 11,000 residents and main street businesses through mailings and door to door communication.
- An August 2012 survey of over 500 Portland voters was conducted by UFCW Local 555. The poll showed 15% opposed and 60% favoring a law that would guarantee all workers in Portland a minimum number of paid sick days to care for themselves or their immediate family members.

Earned Sick Leave Timeline & Activities

- October - December 2012: Twelve media publications document community discussions. Advocates meet weekly to define proposal.
- December - January: Development of City proposal by Commissioner's Office in consultation with the City Attorney, Human Resources staff, and Council members.
- January 17, 2013: Proposed Code and Ordinance posted, comment period opened.
- January 23, 2013: Public forum for Q & A held - (attended by 65 people).
- January 31, 2013: First public hearing before City Council.

Next Steps

- Additional public input to Council, February 1 - 27.
- Commissioners Saltzman and Fritz convene balanced Task Force for 3 meetings to discuss potential amendments prior to February 27.
- Task Force suggestions posted by February 21.
- Second Public Hearing to consider any amendments, February 27.
- Council vote, March 6.

Implementation Decisions & Timeline

- Continue to Lobby State Legislature to pass statewide Earned Sick Leave law.
- After Legislative session concludes, consider revisiting Portland's standards.
- If Portland-only standards proceed, begin Administrative Rules process to be finalized by August 31, 2013 and then develop and secure contract with BOLI.
- Conduct education and outreach to employers and employees, October – December, 2013.
- Effective date of Code: January 1, 2014.