

ORDINANCE No. 186293

Amend Protected Sick Time Code to clarify various provisions (Ordinance; amend Ordinance No. 185926)

The City of Portland ordains:

Section 1. The Council finds:

1. City Council approved Ordinance 185926 on March 13th, 2013 which provided policy and regulations in the City of Portland to ensure that all Persons who work in businesses located in Portland can stay at home when they or a close family member are sick, injured or in need of preventive medical care, in order to prevent the spread of disease and to allow all Portland residents to provide health care for a family member.
2. That Title 9 as written provides the framework for implementation of the Sick Leave regulations and that minor corrections will provide the Bureau of Labor and Industries, employees and employers greater clarity in implementing the adopted City policy.
3. That the public comment process has occurred for the development of the Administrative Rules governing the implementation of this Protected Sick Time Code and has provided helpful feedback for construction of the amendments to the Code Title 9, as depicted in Exhibit A.
4. That definitions in Section 9.01.020 needing clarification are definitions for Employee, for Paid Time Off, and for what constitutes a Year.
5. That Section 9.01.040 Use of Sick Time is being clarified for what constitutes an Eligible Employee and how to measure time taken during a shift under certain circumstances.
6. That a public process for creation of the Administrative Rules for Protected Sick Time has occurred and that process has provided constructive comments for minor changes necessary to provide further clarifying amendments.
7. That minor changes related to the adoption of Administrative Rules in Section 9.01.080 and other minor word changes will allow for greater flexibility, understanding and implementation of the City Code.
8. That changes proposed will provide businesses and employees with clarity, and simplify programmatic implementation,

NOW THEREFORE, the Council directs:

- a. That it is in the collective interests of the City, businesses and employees working in the City of Portland, to provide for further clarification to use, accrual and implementation of Sick Time as described in Exhibit A.

- b. That City Code Sections 9.01.020 Definitions, be amended as described in Exhibit A for definitions of Employee, Paid Time Off, Health Care Provider, and Year.
- c. That City Code Sections 9.030 Accrual of Sick Time, 9.01.040 Use of Sick Time, and Section 9.01.080 Administrative Rules, be further amended as described in Exhibit A to clarify Employee eligibility, provide for the use of Sick Time in some industries consistent with FMLA regulations and revise the date for implementation of Administrative Rules.
- d. That notwithstanding amended Section 9.01.080 of Title 9, there shall be no additional comment period to address the amendments effected by this Ordinance.
- e. That all other provisions of Title 9 remain in effect as previously adopted by City Council.

Passed by the Council: OCT 16 2013

Commissioner: Amanda Fritz
Prepared by: Thomas Bizeau
Date Prepared: 10/03/13

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 186293
Title

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INTRODUCED BY Commissioner/Auditor: Commissioner Fritz	CLERK USE: DATE FILED <u>OCT 04 2013</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz <i>T. Bizeau</i> Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland By: <u><i>[Signature]</i></u> Deputy
BUREAU APPROVAL Bureau: Fritz Bureau Head: Fritz	ACTION TAKEN: OCT 09 2013 PASSED TO SECOND READING OCT 16 2013 9:30 A.M.
Prepared by: Tom Bizeau Date Prepared: October 3, 2013	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
<input checked="" type="checkbox"/> City Auditor Office Approval: required for Code Ordinances <i>OK - Toni</i>	
<input checked="" type="checkbox"/> City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>CR</i>	
Council Meeting Date 10/9/13	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/> <i>Pulled</i>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

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"/>	