

Everybody Benefits

Oregon's Campaign

Earned Sick Days

MEASURE: HB 3390

EXHIBIT: 7

HOUSE OF REPRESENTATIVES
H BUSINESS & LABOR

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SUBMITTED BY: Rep. Dembro

WHY SHOULD ALL WORKERS IN OREGON EARN SICK DAYS?

Because we all get sick, but not all of us have time to recover – and it affects all of us. **A shocking 48% of private-sector workers in Oregon and 80% of low-wage workers nationally have no paid sick days from their job – not one.** But there's a simple solution: allow workers to earn paid sick time while they work. When they do, everybody benefits. Here's how:

1. Earned sick days will improve public health in Oregon.

Workers who can't earn sick days are heavily concentrated in jobs that require a high level of interaction with the public — the people who serve and prepare our food, look after our children and care for the elderly. When those workers feel compelled to come to work sick, it's not just their health that's at risk — it's all of us.

2. Earned sick days will protect the economic security of Oregon families.

For too many Oregon families, taking a child to the doctor or staying home with the flu means losing pay - or even your job. Just a few paid sick days a year can provide working families a much-needed measure of economic security, especially in these tough economic times. No one should have to choose between their job and their family's health.



3. Earned sick days are smart for Oregon business.

By allowing employees to earn paid sick time, employers increase productivity and save money in the long run. Employees who come to work sick are less productive and recover more slowly. They're also likely to spread illness to co-workers, which reduces productivity and increases absenteeism. Earned sick days also help retain good employees and keep turnover costs low.

4. Earned sick days will make our healthcare system more efficient and effective.

Earning sick days allows working families to get regular preventive care and early treatment for illnesses. People who can't earn sick days are more likely to depend on emergency room services, driving up costs for all of us. They're also less likely to receive the kind of preventive care that keeps people healthy, lessens the risk of chronic illness, and keeps healthcare costs down for all of us over the long term.

IT'S CLEAR: **EVERYBODY BENEFITS** WHEN WORKERS EARN PAID SICK DAYS.

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How does HB 3390 help Oregon workers?

1. Employers with 6 or more employees will provide paid sick time up to 56 hours (7 days) per year earned at one hour for every 30 hours work.
2. Employers with 6 or more employees will not retaliate against or fire employees for using this paid sick time appropriately.
3. Employees can use their paid sick time for their own health, that of a family member, or to address issues caused by domestic violence, sexual harassment, assault or stalking.
4. Employees begin accruing time on the commencement of employment and can begin using accrued time after being employed for 90 days.
5. Employees can "trade shifts" instead of using sick time if agreed to by the employer and employee.



What employer protections does HB 3390 include?

1. An employer with an equal or better policy (PTO, sick time or another) that allows use of up to 56 hours for the purposes of illness and who does not retaliate for use of this time will not be required to do anything additional under this law.
2. Employers may send an employee home and require use of sick time if they are obviously sick at work.
3. For absences of more than 3 consecutive days, an employer may require a licensed health care provider's note before use of sick leave is approved. However, under existing state law the employer would be required to pay the costs associated with procuring that note.
4. As with any other employee concern, an employer may investigate a documented *pattern of abuse* in an employee's unscheduled use of sick time.
5. Unless allowed by an employer, the employee cannot "cash out" time they've earned but not used upon separation from employment.
6. Unless allowed by the employer, and employee will not carry over more than their unused hours (up to 56) from one year to another.
7. Where leave is foreseeable employers may request up to 7 days advance notice.
8. Where leave is not foreseeable the employee must report use of leave before start of scheduled work hours or as soon as is practicable.

How much utilization of sick leave is expected?

Nationally, workers with access to paid sick time use an average of 2.2 days a year in small firms and 3.1 days a year in large firms.¹

¹ Institute for Women's Policy Research, Analysis of data from the 2008 National Health Interview Survey, 2010.