



CITY OF
PORTLAND, OREGON

Charlie Hales, Mayor
Amanda Fritz, Commissioner
Nick Fish, Commissioner
Dan Saltzman, Commissioner
Steve Novick, Commissioner

February 16, 2015

Senator Michael Dembrow, Chair
Senate Workforce Committee
900 Court St. NE, Hearing Room C
Salem, OR 97301

Dear Chair Dembrow and Members of the Committee:

We write in support of SB 454, which ensures that all Oregonians can keep their jobs while taking necessary time off when they or their family are sick, injured, or in need of preventative health care.

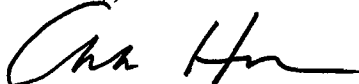
In 2013, after a unanimous vote by City Council, Portland became the fourth U.S. city to enact an ordinance enabling workers to earn paid sick time. Portland's Protected Sick Time ordinance took effect on January 1, 2014, and workers began earning sick time while they work.

Forty percent of all private-sector workers and eighty percent of low-income workers receive no paid sick days when they or a family member fall ill. This forces low-income workers to choose between providing for their families or going to work sick. Employees who come to work sick may spread their illness, which is estimated to cost the national economy \$160 billion annually in lost productivity. Earned sick leave allows workers to stay home to take care of themselves or a sick family member, or to visit a doctor without losing pay for that time off work.

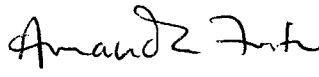
SB 454 mitigates the spread of disease and allows employees to care for themselves and family members, making Oregon a healthier and more productive state. Ensuring that all workers have the time it takes to care for themselves and family members is practical, equitable, and preventative.

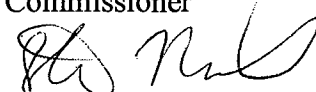
We respectfully urge your support for this important legislation.

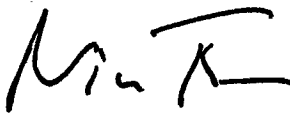
Sincerely,


Charlie Hales
Mayor


Dan Saltzman
Commissioner


Amanda Fritz
Commissioner


Steve Novick
Commissioner


Nick Fish
Commissioner

TO: Chair Dembrow, members of the Senate Workforce Committee
From: Senator Diane Rosenbaum
Date: February 16th, 2015
RE: Testimony in support of Senate Bill 454

Chair Dembrow, members of the Senate Workforce Committee,

Thank you for the opportunity to be here today to testify in support of House Bill 2005. For the record, I am Senator Diane Rosenbaum from Senate District 21 which covers inner Southeast Portland, Milwaukie and Oak Grove.

Every day, Oregonians get up early so that they can go to work and earn enough to help their family get by. But when working people get sick, too many of them face an impossible dilemma: Go to work sick to keep food on the table, or stay home and risk losing their job or facing discipline from the boss. Oregonians work hard just to get by. But they need to be able to keep their jobs, support their families, and care for themselves when they get sick or for a loved one when they fall ill.

Unfortunately, there are way too many Oregonians who do not have access to a single minute, let alone an entire hour, of paid sick leave from their job. They can't afford to miss out on part of a shift to see a doctor, or to stay at home to recover from the flu. When their kids can't go to school because they're home sick, these Oregonians are forced to choose between providing for their family and caring for their family.

No one should have to decide between their own health and being able to feed their family. As a legislator, I know that for these families, every penny counts. A few days of lost pay can make up the difference in being able to buy groceries for the month or being able to pay the family health care premium.

Eighty percent of the lowest wage earners have no paid sick leave. These workers are much more likely than wealthier Oregonians to provide hours and hours of unpaid care to elderly family members. This makes the choice between a family's health and a job even more difficult. House Bill 2005 will help to make sure working people don't have to choose between their work and their family's well-being. By providing paid sick leave for employees, we can help more Oregonians get just a small amount of time to make

a huge difference for families who are struggling, and many of whom are frankly on the brink of poverty.

This is fundamentally an equity issue. Providing paid sick leave will help the family budget, but it will also greatly impact our ability to prevent poverty and help more families get off the safety net. Chair Dembrow, members of the committee, Thank you again for hearing this bill today. I strongly encourage your continued support for this important policy. I urge your support for Senate Bill 454.

Sincerely,

A handwritten signature in black ink that reads "Diane Rosenbaum". The signature is written in a cursive, flowing style.

Senator Diane Rosenbaum
Senate Majority Leader
Senate District 21



February 16, 2015

Testimony to Senate Workforce Committee

Provided by: Paloma Sparks, Legislative Director, Oregon Bureau of Labor and Industries

The Oregon Bureau of Labor and Industries (BOLI) appreciates the opportunity to testify in support of SB 454, which would expand sick time to all Oregonians.

The Bureau of Labor and Industries enforces anti-discrimination laws that apply to workplaces, housing and public accommodations; enforces wage and hour laws; educates employers to avoid unnecessary worker complaints; and partners with labor, business and other organizations to develop a highly-skilled, competitive workforce in Oregon.

You have already heard an overview of how the proposed statewide sick time bill would work. I will provide you information on how the Bureau worked with Portland to develop enforcement and education tools. We are currently working with Eugene on similar efforts. The agency is prepared to assist employers and workers with a statewide sick time law.

The Bureau enforces the Portland sick time protections. This includes workers' the rights to take paid and unpaid sick time and enforcement of the right to take that protected sick time without fear of retaliation. We also provide education to employers through seminars, written materials and the Technical Assistance for Employers hotline.

A key aspect to the success in Portland has been the work done to educate employers. Our Technical Assistance for Employers put on several large trainings and assisted the city in public outreach. After training and informational campaigns throughout the city the number of employer questions to Technical Assistance stabilized.

One of the challenges employers have faced was tracking when workers were in the bounds of the city and when they were not. A statewide policy could ease that difficulty. Additionally, the ability to front-load leave times eased the tracking issue for many employers. Technical Assistance advises employers to do just that where feasible.

The Bureau of Labor and Industries is ready to help the legislature expand sick leave to all Oregonians. We will develop comprehensive employer education materials through our Technical Assistance program to assist employers and enforcement tools to ensure that workers get the sick time they are entitled to under the new law.

Thank you for the opportunity to update the committee.

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John A. Kitzhaber, MD
Governor



Oregon Advocacy Commissions Office
"Advocating Equality and Diversity"
1819 SW 5th Ave., Portland, OR 97201
O 503.302.9725/F 503.473.8519
Email: oaco.mail@oregon.gov

Testimony in support of SB 454
Monday, February 16, 2015

Senate Committee on Workforce

Chair Dembrow, Vice-Chair Thatcher, Senate Democratic Leader Rosenbaum,
Senators Gelser and Knopp:

Too many workers are forced to choose between sick time and a paycheck they desperately need. Nationally, one in six workers reports having been fired for taking time off work to care for a sick child or family member, or for their own illnesses, and the fear of job loss for taking sick time affects well over half of Hispanic workers and three out of four African-American workers.

The Oregon Commissions on Asian and Pacific Islander Affairs (OCAPIA), Black Affairs (OCBA), Hispanic Affairs (OCHA) and the Commission for Women (OCFW) strongly support SB 454, a bill offering all employees in Oregon the opportunity to earn paid sick time while they work. This bill provides a state-wide standard so workers all across Oregon can both provide for and responsibly care for their own health as well as the health of their families. Portland and Eugene have joined other family-friendly cities in the nation by requiring that employers let employees earn sick time while they work. The Advocacy Commissions feel strongly about this issue because of its significant impact on our communities: women and people of color - many of whom are low-wage earners - and their children.

The following Oregon statistics highlight the issue in our state:

- 47% of Oregonians working in the private sector lack access to any paid sick time (now that Portland and Eugene have passed ordinances).
- 71% of low-wage workers in Oregon lack paid sick time.
- Hispanic workers are significantly less likely to have paid sick days than other workers. About 62% of Hispanic workers in Oregon lack paid sick time.
- Lower-wage earners are less likely to have paid sick days. 82% of Oregonians earning \$65,000+/year have access to paid sick time, as compared to 29% of Oregonians earning less than \$20,000/year.
- 83% of people working in "Food Preparation and Serving Related Occupations" in Oregon lack paid sick time, potentially creating an immense public health hazard as food service workers are forced to bring their potentially contagious illnesses to the workplace in order to earn their paychecks.
- 22% of children live in Oregonian households headed by single mothers who are challenged by the lack of sick time to care for their sick children or other family members.

This bill is vital if we want to reduce health disparities by socioeconomic status in Oregon. When workers earn sick time, everyone benefits. First, paid sick days are good for public health. Above and beyond the direct risks of contagion as described above, often low-income workers postpone care (preventive and even urgent) because they cannot afford a day off from work. The inevitable result is more emergency room visits because their conditions have worsened in the absence of timely care. Second, paid sick time

OR Commission on Asian and Pacific Islander Affairs

Stephen Ying, Chair
Mari Watanabe, Vice Chair
Legislative Liaisons:
Sen. Michael Dembrow
Rep. Gene Whisnant

OR Commission on Black Affairs

James I. Manning Jr., Chair
James Morris, Vice Chair
Legislative Liaisons:
Sen. Rod Monroe
Rep. Lew Frederick

OR Commission on Hispanic Affairs

Alberto Moreno, Chair
John Haroldson, Vice Chair
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OR Commission for Women

Stephanie Vardavas, Chair
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Rep. Betty Komp

Staff

Lucy Baker, Administrator
Nancy Kramer, Executive Assistant

is good for families. Workers without paid sick time face a brutal choice when illness strikes: either they go to work sick, or send a sick child to school or daycare; or they stay home, lose pay, and risk job loss or workplace discipline. ***Finally, but of immense importance, paid sick days are good for business.*** The loss of productivity due to illness is high across the country, estimated at \$160 billion annually. However, when workers are offered sick leave benefits, some economists who have studied the issue believe that this policy helps reduce unemployment and strengthens the economy. In San Francisco, where all workers have been earning sick leave since a 2007 ordinance, fully 2/3 of businesses support this policy. This is not only an Oregon problem but also a matter of national concern.

Paid sick time as an economic issue, a public health issue, a family issue, and a business issue. We thank the Legislature for its work in crafting a potential solution and for providing the Advocacy Commissions with the opportunity to contribute testimony on this bill.

Sincerely,



Stephen Ying, Chair, OCAPIA



James I. Manning, Jr., Chair, OCBA



Alberto Moreno, Chair, OCHA



Stephanie Vardavas, Chair, OCFW

Mr. Germer,

I strongly support a state wide standard for paid sick leave (bill 454). This will help those who currently don't have this important benefit in a formalized contract.

Thank you.

Howard Seigel

503-232-2655

Portland

Sent from my iPad

GENERAL SERVICES AGENCY
OFFICE OF LABOR STANDARDS ENFORCEMENT
DONNA LEVITT, MANAGER



February 16, 2015

Oregon Senate Committee on Workforce
900 Court Street NE
Salem, Oregon 97301

Re: San Francisco's Paid Sick Leave Ordinance

Dear Chair Dembrow and Members of the Senate Workforce Committee:

This letter is written in response to inquiries I have received related to enforcement of San Francisco's Paid Sick Leave Ordinance.

For purposes of comparison, there were approximately 612,000 individuals employed in San Francisco and 54,000 employer establishments in 2013 according to the Bureau of Labor Statistics Quarterly Census of Employment and Wages. All employers with any employees who perform work in San Francisco are covered by the ordinance.

The Paid Sick Leave Ordinance was passed by the voters in November 2006 and is enforced by the City's Office of Labor Standards Enforcement (OLSE). The OLSE also enforces San Francisco's Minimum Wage Ordinance, another law of general application that also covers all employees who perform work within the geographical boundaries of the City & County of San Francisco. The OLSE integrated enforcement of the Paid Sick Leave Ordinance into our ongoing work enforcing the Minimum Wage Ordinance, and hired no additional staff to enforce the Paid Sick Leave Ordinance. The minimum wage/paid sick leave enforcement team currently includes 5.5 FTE, and OLSE allocates approximately one FTE to enforce the Paid Sick Leave Ordinance.

Employees accrue one hour of paid sick leave for every 30 hours worked. Accrued leave may be used for the employee's own care or care of a family member (including child, parent, legal guardian or ward, sibling, grandparent, grandchild, and spouse or registered domestic partner). If an employee has no spouse or registered domestic partner, the employee may designate one person for whom s/he may use paid sick leave to provide aid or care. If an employer has a paid time off policy that makes available to employees an amount of paid leave that may be used for the same purposes and in at least the same amounts as required by the ordinance, an employer is not required to provide additional paid sick leave.

Enforcement action is taken in response to complaints. From January 2007 through February 6, 2015, OLSE received 402 complaints (an average of 4.2 complaints a month). When the OLSE receives a complaint, the agency conducts a company-wide investigation to recover any back wages owed to all employees who were denied their right to paid sick leave. Most cases resolve quite easily as they involve a relatively small amount of back wages in dispute. Employers paid a median of \$701 in back wages and penalties when OLSE found violations and collected restitution. To date, none of the 402 complaints have gone to an administrative hearing. One hundred forty-nine (149) of the complaints resulted in back wages recovered for paid sick leave that had been withheld. In one hundred twelve (112) cases, the claimant opted to have OLSE send a letter to the business reminding them of their obligations under the law, rather

than to pursue a claim for back wages. Twenty-six (26) cases are pending and the remainder were administratively closed, in some cases after OLSE worked with the employer to revise company sick leave policies to come into compliance with the law or the complaint was found to lack merit.

Total Complaints – 2007 to February 9, 2015	402
Violation found, employer paid back wages / penalty	149
Case closed without payment	109
Referred to other agency	6
Currently pending investigation	26
Total PSLO Cases (excluding advisory letters)	290

Complaints for which claimant asked OLSE to send advisory "watch" letter to employer	112
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Please don't hesitate contact me should you have any questions regarding implementation or administration of our ordinance. I can be reached at (415) 554-6239.

Sincerely,



Donna Levitt
Manger