

STAFF MEASURE SUMMARY**Senate Committee On Workforce****Fiscal:** Fiscal impact issued**Revenue:** Revenue impact issued**Action Date:** 03/25/15**Action:** Do Pass With Amendments And Requesting Referral To Ways And Means.
(Printed A-Engrossed.)**Meeting Dates:** 02/16, 03/23, 03/25**Vote:**

Yeas: 3 - Dembrow, Gelser, Rosenbaum

Nays: 2 - Knopp, Thatcher

Prepared By: Matthew Germer, Committee Administrator

WHAT THE MEASURE DOES:

Requires employers provide sick time for employees. Requires sick time be paid if employer has at least six employees. Sets the minimum rate of accrual at one hour sick leave for every 30 hours worked. Requires employee to be allowed to earn and use up to 40 hours sick leave per year. Requires employees give advance notice of intent to use paid sick leave under certain circumstances. Allows employer to require medical verification in certain circumstances. Prohibits retaliation or discrimination against employee who inquires about or uses sick leave. Classifies violations as unlawful practices under the jurisdiction of the Bureau of Labor and Industries. Provides for private right of action. Preempts local governmental authority on matters related to sick leave. Effective January 1, 2016.

ISSUES DISCUSSED:

- Employer size
- Overlap with Oregon Family Leave Act
- Cost to businesses
- Agricultural and seasonal workers
- Employee type

EFFECT OF COMMITTEE AMENDMENT:

Replaces original measure.

BACKGROUND:

Three states currently require paid sick leave: Connecticut, California and Massachusetts. There are no federal laws that require employers to provide paid sick leave for their employees. In Oregon, the City of Portland implemented an ordinance in 2013 requiring employers with at least six employees to provide paid sick leave and smaller employers to provide unpaid, protected sick time. The City of Eugene followed in 2014 with a requirement that all employers provide paid sick leave.

Under current Oregon law, employers are not required to provide paid sick leave to employees. If an employee misses a day of work due to illness, the employer has no duty to provide compensation for the missed time or to schedule an extra shift for the employee to make up the time. However, the Oregon Family Leave Act requires employers with at least 25 employees to provide protected leave for eligible employees. Similar statutes provide protected leave for victims of domestic violence, sexual assault and stalking.

Senate Bill 454-A requires employers with at least six employees provide paid sick time to employees for the purpose of caring for personal or a family member's mental or physical illness, injury or health condition or for preventative medical care. Additionally, leave for the purpose of providing care to new family members, grieving a family member's death, or handling matters related to domestic violence, sexual assault or stalking would qualify for paid sick leave. All provisions of the bill apply to smaller employers except that sick time need not be paid by the employer. Under this measure, employees accrue one hour of sick leave for every 30 hours worked, up to a maximum of 40 hours per year, and employers may require medical verification of the need for sick leave under certain circumstances. Senate Bill 454-A also requires employees to give advance notice of intent to use sick leave under certain circumstances. The measure also prohibits discrimination against employees who inquire about or use sick leave. Finally, Senate Bill 454-A classifies any violation of sick leave provisions as an unlawful practice under the jurisdiction of the Bureau of Labor and Industries and allows for both equitable and compensatory relief.