



May 24, 2017

Testimony to House Committee on Business and Labor
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 299A, which makes clarifications to the sick time law originally passed in 2015.

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.

During the 2015 session the legislature passed Senate Bill 454 requiring all employers to allow employees to earn and use sick time, up to 40 hours per year. This was a new program involving many new concepts and moving parts. The law needed to mesh with existing wage and hour and civil rights laws. BOLI was tasked with implementation, enforcement and public education.

BOLI made every effort to address ambiguities in statutory language and to provide guidance to employers and employees. But, as with many new laws, some organizations wanted changes to the law and resulting rules. As we carefully examined the sick time law it became clear that the statutory language limited our ability to make many of the changes requested by employer advocates.

Senate bill 299 was introduced as a placeholder by the interim Senate Committee on Workforce for potential updates to the sick time statutes. On December 13, 2016 I presented to that committee to review the rulemaking process and implementation of the sick time law. Several areas of potential legislative changes were identified during that presentation.

The SB 299A make several clarifications to the statutes: exemption for work-study students; sick time accrual and carryover; how employees paid on a piece-rate or commission basis are paid when sick time is taken; counting employees; how substantially equivalent policies should be tracked when they are more generous than is required by the sick time law; how sick time and workers' compensation work together; and temporary locations in Portland.

Thank you for your attention. I am happy to answer any questions.

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