

Senate Bill 86

Sponsored by Senator MEEK (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act clarifies the law with respect to the sick time provided under certain benefit plans. The Act takes effect 91 days following adjournment sine die. (Flesch Readability Score: 60.2). Provides clarification regarding multiemployer exceptions from state laws governing sick leave. Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to multiemployer sick time policies; amending ORS 653.646; and prescribing an effective
3 date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 653.646 is amended to read:

6 653.646. (1) An employer signatory to a collective bargaining agreement to which the employer
7 has agreed to contribute to a **joint multiemployer-employee trust or benefit plan or**
8 multiemployer-employee trust or benefit plan that is maintained for the benefit of the employees
9 subject to the agreement shall be considered to have met the requirements of ORS 653.601 to 653.661
10 if:

11 (a) The terms of the agreement provide a sick leave policy or other paid time off program that
12 is substantially equivalent to or more generous than the minimum requirements of ORS 653.601 to
13 653.661 for the benefit of employees:

14 (A) Who are employed through a hiring hall or similar referral system operated by the labor
15 organization or a third party;

16 (B) Whose terms and conditions of employment are covered by the multiemployer collective
17 bargaining agreement; and

18 (C) Whose employment-related benefits are provided by the [*joint multiemployer-employee*] trust
19 or benefit plan;

20 (b) The trustees of the trust or benefit plan have agreed to the level of benefits provided under
21 the sick leave policy or other paid time off program; and

22 (c) The contributions to the trust or benefit plan are:

23 (A) Made solely by the employer signatories to the agreement[.] **under a multiemployer-**
24 **employee trust or benefit plan; or**

25 (B) **Made jointly by the employer signatories to the agreement under a joint**
26 **multiemployer-employee trust or benefit plan and the employees covered by the trust or**
27 **benefit plan.**

28 (2)(a) An employee is eligible to use sick time accrued under a sick time policy or other program
29 made available by an employer under subsection (1) of this section beginning on the 91st calendar
30 day of employment with an employer who is a signatory to the multiemployer collective bargaining

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 agreement described under subsection (1) of this section.

2 (b) An employee may combine employment service attributable to each employer signatory for
3 whom the employee worked to meet the eligibility requirements under paragraph (a) of this sub-
4 section.

5 (3) The requirements of ORS 653.601 to 653.661 do not apply to an employee:

6 (a) Who is employed as a longshore worker;

7 (b) Who is employed through a hiring hall or similar referral system operated by the labor or-
8 ganization or a third party;

9 (c) Whose terms and conditions of employment are covered by a collective bargaining agree-
10 ment; and

11 (d) Whose employment-related benefits are provided by a joint multiemployer-employee trust or
12 benefit plan.

13 (4)(a) The Home Care Commission created under ORS 410.602 shall establish a paid sick time
14 policy for consumer employed home care workers and consumer employed personal support workers.

15 (b) A policy for paid sick time for consumer employed home care workers and consumer em-
16 ployed personal support workers implemented by the Home Care Commission that allows an eligible
17 home care worker or personal support worker to accrue and use up to 40 hours of paid time off a
18 year, including but not limited to sick time, is deemed to meet the requirements of ORS 653.601 to
19 653.661 and is exempt from the provisions of ORS 653.601 (6), 653.606 (5), 653.611, 653.621, 653.626
20 and 653.631.

21 (5) As used in this section:

22 (a) “Consumer employed home care worker” has the meaning given the term “home care
23 worker” in ORS 410.600.

24 (b) “Consumer employed personal support worker” has the meaning given the term “personal
25 support worker” in ORS 410.600.

26 (c) **“Joint multiemployer-employee trust or benefit plan or multiemployer-employee trust
27 or benefit plan” means an employee benefit plan:**

28 **(A) Under which benefits are financed and administered according to the terms of a col-
29 lective bargaining agreement; and**

30 **(B) Where applicable, complies with the federal Employee Retirement Income Security
31 Act of 1974, 29 U.S.C. 1001 et seq., as amended.**

32 **SECTION 2. This 2025 Act takes effect on the 91st day after the date on which the 2025
33 regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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