



CITY OF

## PORTLAND, OREGON



### NOTICE TO EMPLOYEES – PROTECTED SICK TIME

**To:** All Employees Working within the City of Portland

**Date:** January 1, 2014

**Subject:** Protected Sick Time Law to Take Effect January 1, 2014

As an Employee working within the City of Portland, you are receiving this notice because you may be entitled to accrue and use paid or unpaid Sick Time under the City's new Sick Time ordinance, which took effect on January 1, 2014. This notice provides some basic information about your rights under that ordinance. Please talk to your Employer or visit [www.portlandoregon.gov/sicktime](http://www.portlandoregon.gov/sicktime) for additional information.

#### I. Entitlement to Sick Time

- ❖ Starting January 1, 2014, all Employees who work within the City of Portland are entitled to accrue Sick Time, and Employees who have been employed for over 90 days and have worked at least 240 hours within the City are entitled to use accrued Sick Time for certain qualifying absences. Depending on the size of the Employer, that Sick Time may be paid or unpaid. In general, Employers with five or fewer Employees are required to provide unpaid Sick Time, while Employers with more than five Employees are required to provide paid Sick Time.

#### II. Amount of Sick Time and Terms of Use

- ❖ In general, Employees are entitled to accrue one hour of Sick Time for every 30 hours of work performed within the City. For hourly Employees, overtime hours are included in that calculation; salaried Employees are presumed to work 40 hours a week, unless their contract provides for a lesser workweek. Employees are entitled to accrue up to 40 hours of Sick Time in a year, unless their Employer allows for more.
- ❖ Employees who have been employed for over 90 days and have worked at least 240 hours within the City are entitled to use their accrued Sick Time for the following types of absences:
  - Diagnosis, care, or treatment of the Employee or the Employee's family member for mental or physical illness, injury, or health condition, including, but not limited to, pregnancy, childbirth, post-partum care, and preventive medical care;



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- The Employee, or the Employee's minor child or dependent, is a victim of domestic violence, harassment, sexual assault, or stalking;
  - Closure of the employee's place of business, or the school or place of care of the Employee's child, is closed by order of a public official due to a public health emergency;
  - The Employee must care for a family member whose presence in the community would jeopardize the health of others, as determined by a public health authority or healthcare provider;
  - The Employee has been excluded from the workplace for health reasons under a law or regulation that requires the Employer to do so.
- ❖ An Employee may generally use Sick Time in increments of one hour to cover all or part of a shift, unless a lesser increment is allowed by the Employer, or it is physically impossible for the Employee to work only partway through a shift. An Employer may not require an Employee to search for or find a replacement worker as a condition for the Employee's use of Sick Time, or require the Employee to work an alternate shift to make up for the use of Sick Time. However, if the Employer allows shift trading and an appropriate shift is available, the Employee may choose to work additional hours or shifts without using accrued Sick Time for the missed hours or shift.
- ❖ Employees may use Sick Time only during times that they are scheduled to perform work within the City of Portland. An Employee may not use Sick Time:
- If the Employee is not scheduled to work in the City during the hours or the shift for which leave is requested; or
  - During the first 90 calendar days of employment and before the Employee has worked 240 hours within the City, unless the Employer allows use at an earlier time.

### **III. Retaliation Prohibited & Right to File a Complaint**

- ❖ Your Employer cannot take any retaliatory action against you for requesting or using Sick Time under the City of Portland's ordinance, or for exercising any of your rights under the ordinance. If you believe that any of your rights under the ordinance has been violated, you may file a complaint with the Oregon Bureau of Labor & Industries.



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**IV. Additional Information**

- ❖ Please visit [www.portlandoregon.gov/sicktime](http://www.portlandoregon.gov/sicktime) for additional information about the City of Portland's Sick Time ordinance, or to download a copy of this form.