

## **Eugene Sick Leave FAQs**

Updated August 11, 2014

### **What is the Eugene Sick Leave Ordinance?**

On July 30, 2014, the Eugene City Council passed a law that allows everyone working within Eugene city limits to accrue paid sick time at work.

### **When will the Eugene Sick Leave Ordinance go into effect?**

On July 1, 2015, eligible workers will begin accruing sick time.

### **So the ordinance has passed, what should I be doing now as an employer?**

While the ordinance does contain some detailed language, more detail will be provided in the administrative rules (see below). Any significant changes to your personnel policies would likely be more efficiently addressed once you can ensure that you are in compliance with the rules, which will be completed by January 31, 2015. This should provide ample time to attend trainings (see below) and to make any necessary changes to your policies before the ordinance goes into effect on July 1, 2015.

### **What are the general provisions of the ordinance?**

The ordinance specifies that employees shall earn a minimum of one hour of sick leave for every 30 hours of paid work performed in the city. Employers shall allow employees to accrue a minimum of 40 hours of sick leave in a year. Employees begin accruing leave on July 1, 2015 (or the start of their employment, whichever is later) but must be employed by the employer for 90 days to become eligible to begin using accrued sick time.

### **What constitutes a qualifying absence?**

An employee may use accrued sick time for diagnosis, care or treatment of the employee or the employee's family member's mental or physical illness, injury, or health condition, including preventative care. Accrued time can also be used to address issues caused by domestic violence, harassment, sexual assault or stalking. The definitions may be clarified in the administrative rules.

### **What businesses are affected by the ordinance?**

All businesses operating within the Eugene City Limits must provide sick time under this new law.

### **My business is not based in Eugene but my employees occasionally travel to Eugene for work. How are these employees addressed?**

If an employee travels into Eugene for the purposes of conducting work, they will accrue sick time while conducting that work. If an employee travels through Eugene but does not stop to conduct work, they do not accrue sick time. Employees may use accrued sick time only during times that they are scheduled to perform work in Eugene.

### **How does the ordinance impact temporary employees?**

The law applies to any employees who work 240 hours or more in a year in Eugene – regardless of their temporary or permanent status. An employer can elect to cover employees who work fewer hours in Eugene since this law is just a minimum floor.

### **My employer allows shift trading. How does this ordinance address shift trading as it relates to sick time?**

Shift trading in lieu of using accrued sick time is allowed if mutually agreed upon by the employer and employee. However, the employer may not require employees to find a replacement to “cover a shift” as a condition for taking the sick time. An employer also cannot require employees to work an alternate shift to make up for using their accrued sick time.

### **How are my employees that telecommute impacted?**

Employees who perform work for an employer by telecommuting from home or another location that is not physically within the city of Eugene are not covered by the ordinance, even if the employer is physically located in the city.

### **What if my businesses already provides paid sick leave or paid time off (PTO) equal to or in excess of the minimum requirements of this new ordinance?**

If an employer already has paid sick leave or a PTO policy in place that meets the minimum requirements of this ordinance, then the employer is already in compliance. The specific details of what constitutes compliance will be addressed in the administrative rules, which will include what record keeping is necessary for employers that already have a compliant policy.

### **What happens next?**

The ordinance specifies that the rules will be adopted by the City Manager. These rules will provide specific details on the ordinance requirements. Staff will assist the Manager in a process that will solicit feedback and information from the community to ensure that the rules are as thorough and easy to understand and interpret as possible.

## **How can I get involved in the rule-making process?**

Although the details have not yet been determined, it is likely that a series of meetings (that will be open to the public) will be convened in the fall to work on specific sections of the administrative rules. Please contact Jason Dedrick at 541-682-5033 or [Jason.p.dedrick@ci.eugene.or.us](mailto:Jason.p.dedrick@ci.eugene.or.us) if you are interested in participating in the process.

## **When will the administrative rules be completed?**

The ordinance specifies that the administrative rules be adopted by the City Manager no later than January 31, 2015. This is five months before the ordinance becomes effective (July 1, 2015).

## **How will employers learn about the new requirements in the ordinance and the administrative rules?**

There will be several ways for employers to learn about the new requirements:

- Trainings - A series of trainings will be offered for all businesses that will walk through the requirements and provide an opportunity for employers to get answers to their questions. These trainings will be offered in early 2015.
- Website - The City will maintain a website that will provide information on the ordinance as well as the administrative rules once they are completed. In early 2015 the website will also contain materials reviewed and distributed at trainings as well as templates and best practices for employers to assist with new requirements such as tracking leave. This website can be found at [www.eugene-or.gov/sickleave](http://www.eugene-or.gov/sickleave).
- Staff - Staff will be available to meet with employers or employees directly if there are specific questions about how these new requirements will impact you or your business.

## **What is the project timeline?**

August 2014 through January 2015 - Develop administrative rules

January 2015 - Adopt administrative rules

February 2015 through June 2015 - Training sessions for employers and other outreach

July 1, 2015 - Ordinance effective date