

PAID SICK LEAVE POLICY
Effective January 1, 2014

The Company provides its employees with sick leave in accordance with Portland City Code Chapter 9 and the Portland Sick Time Administrative Rules. In the event of any conflict between this policy and applicable law, the law will be followed. For any questions about sick leave, please contact Human Resources.

Eligible Employees

Employees who work at least 240 hours in a year within the City of Portland are eligible for sick leave. For purposes of sick leave, the year is defined as [redacted]. Eligible employees begin accruing sick time from the outset of employment. Eligible employees may begin using sick time on their 91st calendar day of employment.

Comment [A1]: Define what year period the company will use for sick time accrual, use, carryover, etc. Any consecutive 12-month period may be used, including a calendar year, a fiscal year, a contract year, or the year running from each employee's anniversary date of employment.

Sick Time Accrual

Eligible employees earn 1 hour of sick time for every 30 hours worked within the City of Portland and may accrue a maximum of 40 hours of sick time in a year. Exempt employees are presumed to work 40 hours in each workweek for purposes of sick time accrual unless their normal workweek is less than 40 hours, in which case sick time is accrued based upon the employee's normal workweek.

Comment [A2]: Instead of accruing leave over the course of the year, employers may frontload sick leave and provide the full 40 hours at the beginning of the year.

An employee may carry over up to 40 hours of accrued sick time for use in subsequent years. However, an employee may only take 40 hours of sick leave each year.

Each employee will be provided a written accounting at least quarterly of the amount of accrued and unused sick time available.

Qualifying Absences

Sick time may be used for the following reasons:

- For an employee's personal mental or physical illness, including pregnancy, childbirth and routine medical and dental appointments;
- To care for a family member with an illness, injury or medical appointment;
- If the employee's place of business closes for a public health emergency, or to care for a child whose school or daycare closes for a similar reason;
- To care for a family member whose presence in the community would jeopardize the health of others;
- If the employee is excluded from work by law due to health reasons; or
- For certain reasons related to domestic violence, harassment, sexual assault or stalking.

For purposes of sick leave, “family member” is defined to include the spouse or domestic partner of the employee, the biological, adoptive, or foster parent or child of the employee, the grandparent or grandchild of the employee, a parent-in-law of the employee or a person with whom the employee was or is in a relationship of in loco parentis.

Use of Sick Time

Sick time may be used for qualifying absences in increments of one hour and may be used to cover all or part of a shift. Employees must use sick time for qualifying absences, however, employees may choose to trade shifts instead of using sick time. When using sick time, employees are not required to find coverage for their shift.

When using sick time, employees will be paid at the rate the employee would have earned had they not been absent, however, employees will not be paid for lost tips, commissions, or overtime.

Accrued but unused sick time will not be paid to the employee upon termination, resignation, retirement, or other separation of employment. An employee rehired within 6 months of separation is entitled to use previously accrued sick time immediately upon reemployment.

Employee Notice

For planned sick leave, the employee must notify Human Resources at least 30 days prior to the date the leave will commence or as soon as practicable. Employees must make reasonable efforts to schedule planned sick leave in a manner that does not unduly disrupt operations and should attempt not to schedule sick leave during peak work hours, when work is time-sensitive, or when mandatory meetings are scheduled.

When sick leave is unforeseeable, the employee must verbally notify his or her supervisor of the need for sick leave before the start of the scheduled work shift, or as soon as practicable, and must submit a written sick leave request to Human Resources within 3 days of returning to work.

The Company may deny sick leave if the employee fails to provide notice as stated in this policy or fails to reasonably attempt to schedule sick leave in a manner that does not unduly disrupt operations.

Employee Documentation

If an employee uses more than three consecutive days of sick leave, the Company may request reasonable documentation verifying the employee is out for a qualifying reason. The Company may deny the use of sick time for an absence until the employee provides the requested documentation.

Interaction with Other Leave

An employee’s use of sick time may run concurrently with other leave under state or federal law, including leave taken pursuant to the Oregon Family Leave Act or the Family Medical Leave Act. An employee may not use paid sick time while receiving workers’ compensation benefits.

Prohibition on Discrimination

No employee will suffer discrimination or retaliation for requesting, using, or complaining that they are not receiving sick time as required by the City. Employees may file a complaint with the Bureau of Labor and Industries if they feel sick leave has been denied or if they believe they have suffered retaliation for requesting or taking sick time. Employees are also encouraged to bring any concerns to Human Resources about the use of sick time or possible retaliation.

For more information on sick leave, please see Human Resources or the posted Notice.

EMPLOYEE ACKNOWLEDGMENT

I, _____, acknowledge that I have received and will read and abide by Company's Sick Leave Policy. I understand that the Sick Leave Policy does not modify my status as an at-will employee.

Employee Signature

Date

SAMPLE

