



Oregon paid sick leave law is effective January 1, 2016; local paid leave laws preempted

Recently enacted legislation makes Oregon the fourth state (in addition to California, Connecticut and Massachusetts) to require employers to provide paid sick leave to employees on a statewide basis. ([SB 454](#))

Effective January 1, 2016, SB 454 requires that an employer with 10 or more employees allow all employees to accrue up to 40 hours of paid sick leave per year. Employers of less than 10 employees must allow employees to accrue up to 40 hours of unpaid sick leave per year.

Paid and unpaid sick leave must accrue at a minimum of one hour for every 30 hours worked or 1 and 1/3 hours for every 40 hours worked. Employers that “front-load” 40 hours of sick pay at the beginning of the year, that is, provide for the paid (or unpaid if less than 10 employees) sick leave at the beginning of the year, are not required to accrue the sick leave during the year.

A new employee must be able to begin accruing sick leave on the first day of employment and be eligible to begin using accrued sick leave on the 91st day of employment. Employees may carry sick leave over from one year to the next; however, an employer may limit an employee to accruing no more than 80 hours of sick leave or using no more than 40 hours of sick leave per year.

The employer must provide notice to each employee of the provisions of the sick leave law as well as a quarterly notice to employees showing the amount of their available sick leave. The state Bureau of Labor and Industries will develop templates for the notice requirements.

Continued on next page.

Expect more state and local paid leave laws as a result of federal funding

The Women's Bureau of the U.S. Department of Labor announced the availability of approximately \$1.25 million in grant funds to support states and cities in their research, analysis and exploration of paid family and medical leave laws and ordinances.

To be eligible for these federal funds, an applicant must be a state, county, city or township government entity or a federally recognized Indian/Native American Tribe.

In addition, the applicant's jurisdiction must have an estimated population of at least 100,000 residents.

Qualified applicants have until July 15, 2015 to apply for these funds.

To read more about the program, click [here](#).

Other requirements and restrictions apply. The Bureau will develop rules for the implementation of the sick leave law.

Local sick leave ordinances of Eugene and Portland are preempted

A provision of the bill provides that the statewide sick leave law preempts local paid sick leave ordinances and prohibits Oregon localities from passing their own paid sick leave laws.

- **Eugene, Oregon.**

In anticipation of the state's paid sick leave law, on June 17, 2015, the Eugene City Council [voted](#) to:

- Move the implementation date of the Eugene Sick Leave Ordinance from July 1, 2015, to January 1, 2016, effective immediately.
- Automatically repeal the ordinance on January 1, 2016, should SB 454 be signed into law (and not referred to voters).

All trainings that had been scheduled associated with the Eugene Sick Leave Ordinance have been cancelled. (See EY *Payroll NewsFlash* Vol. 16, #083, 3-25-2015 for more details on the Eugene Sick Leave Ordinance.)

- **Portland, Oregon.**

The Portland paid sick leave ordinance, that has been in effect since January 1, 2014, will continue until the effective date of the statewide paid sick leave law, January 1, 2016.

It is possible that the provision of the Portland ordinance that requires employees of *six* or more employees to provide paid sick leave may continue after January 1, 2016.

For more on the Portland Protected Sick Leave Ordinance, go to www.portlandoregon.gov/sicktime/.

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