

# Everybody's Got the Fever

## Sick leave comes to Eugene

By Shayda Zaerpoor Le

On July 28, 2014, the City Council of Eugene passed a protected paid sick leave ordinance, which will require most employers engaged in business, in the city, to allow their employees working in or scheduled to work inside the city to earn paid, and protected sick leaves.

The paid sick leave requirement will become effective as on July 1, 2015. Over the coming months, the Eugene City Manager will be developing administrative rules to provide specific details on the new requirements. More detailed definitions, as well as protocols for record-keeping and enforcement, are yet to be established. The rule-making process is slated to be completed by January 31, 2015, with training sessions and outreach to take place from February through June of 2015.



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The Protected Sick Time Ordinance approved by 2013 Portland City Council, ensures that all Persons working in the City of Portland can earn sick time to use when they or a family member are sick, injured, or need preventative health care. The ordinance is intended to mitigate the spread of disease and to allow employees to care for themselves and family members, making Portland a healthier, more productive community.

Eugene's ordinance provides for a minimum accrual rate of one hour of paid sick time, for every 30 hours worked. Although, the hours will begin to accrue immediately upon employment, employers are permitted to restrict usage of the accrued time, until the employee has worked for at least 90 days. Workers are entitled to accrue up to 40 hours in a year, and unused time can be carried over to the next year. However, employers are not required to allow their employees to use more than 40 accrued hours in a given year, or to compensate an employee for unused sick time upon termination of employment, regardless of the cause.

Employers of all sizes, even those with only one employee, will be required to provide sick leaves with pay, however, there are some exceptions. For example, the ordinance does not apply to employees in the building and construction industry who are covered by a collective bargaining agreement.

Adding a layer of uncertainty, the Lane County Board of Commissioners has responded by passing its own ordinances barring cities within Lane County, including Eugene, from passing local laws that mandate employment conditions, such as a sick leave. How the two ordinances are to be reconciled is yet to be determined.

Once the rulemaking process is completed in January 2015, employers will have a much clearer picture of what implementation will require. In addition to the training and outreach, which will occur next spring, there will be a grace period after July 1, 2015, during which compliance will be sought through education, rather than imposition of fines. **L&C**



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