

## **ORDINANCE No.**

Authorize changes to the City Code to require Protected Sick Time for employees of businesses working in the City of Portland and enter into a contract with Oregon State Bureau of Labor and Industries for enforcement (Ordinance; add Code Title 9)

The City of Portland ordains:

Section 1. The Council finds:

1. It is the policy of the City of Portland to ensure that all Persons who work in businesses located in Portland can stay at home when they or a close family member are sick, injured or in need of preventive medical care, in order to prevent the spread of disease and to allow all Portland residents to provide health care for a family member.
2. The lack of paid sick time for Portland workers endangers the health of Portland residents.
3. Most workers in Portland will need limited time off from work at some time during each year to take care of his or her own health needs or the health needs of family members.
4. An estimate 60% of Portland workers are already provided with earned paid sick time by their employers.
5. Up to 40% of workers in Portland lack even one day of protected sick time they can use to stay home when they or a family member who needs their care is sick. Some employees fear discipline for staying home when sick, even if they are not eligible for paid sick time.
6. Paid sick leave is considered a standard in most workplaces worldwide and is provided in every industrialized country in the world except the United States. Out of all 196 countries in the world, at least 145 of them mandate some form of paid sick time.
7. Many workers who do have paid sick time may be disciplined for using it, or cannot use that time to care for sick children. Nationally, more than half of working parents do not have paid sick time they can use when their children are ill often resulting in children being sent to school when sick. Parents who don't have paid sick time are more than twice as likely as parents with paid sick days to send a sick child to school or daycare, and five times as likely to report taking their child or a family member to a hospital emergency room because they were unable to take time off work during their regular work hours.
8. Paid sick time will allow parents to provide personal care for their sick children making children's recovery faster and preventing future health problems for those children, as well as reducing exposure to contagious diseases in schools

9. Low-income workers are significantly less likely to have protected sick time than other members of the workforce. Nationally, only one in five of the lowest-income workers (18 percent) have access to paid sick time.
10. Workers in jobs with high levels of public contact, such as restaurant workers and child care workers, are the least likely to have protected sick time. These workers may go to work when they are ill, increasing the risk of passing illnesses on to co-workers and customers while jeopardizing their own health.
11. Workers with paid sick time are more likely to regularly visit a health care practitioner and to undergo preventative screenings. Paid sick time will promote access to primary and preventive care, reduce recovery time and promote the use of medical providers in the community rather than hospital emergency departments.
12. Access to paid sick time will decrease the likelihood that a worker will put off needed care. Providing workers time off to attend to their own health care and the health care of family members will promote a healthier and more productive workforce in Portland.
13. Paid sick time results in reduced worker turnover, which leads to reduced costs incurred from advertising, interviewing and training new hires creating a better trained and more reliable workforce.
14. Protected sick time will reduce the risk of workers coming to work with illnesses and health conditions that reduce their productivity—a problem that costs the national economy an estimated \$160 billion annually.
15. Protected sick time standards will reduce the perceived competitive disadvantage that many responsible employers face when they choose to provide paid sick time to their workers.

NOW THEREFORE, the Council directs:

- a. That it is in the interests of public health and welfare of the City to address the healthcare needs of workers by requiring that sick leave be provided to all workers by businesses in the City of Portland as described in Exhibit A.
- b. That the Mayor and the City Auditor are hereby authorized to enter into a contract for enforcement of this regulation with the Oregon State Bureau of Labor and Industries.
- c. That Administrative Rules governing the implementation of this Sick Leave Code shall be adopted by the City Attorney's office prior to August 31<sup>st</sup> 2013.

Passed by the Council:

Commissioner: Amanda Fritz  
Prepared by: Thomas Bizeau  
Date Prepared: 01/24/13

**LaVonne Griffin-Valade**  
Auditor of the City of Portland  
By

Deputy

EXHIBIT A --- SUBSTITUTE

TITLE 9 -- Protected Sick Time

Chapter 9.01 Protected Sick Time

9.01.010 Purpose. The purpose of this Chapter is to promote a sustainable, healthy, and productive workforce by establishing minimum standards for Employers to provide sick leave and to ensure that all persons working in the City will have the right to earn and use paid sick time. Allowing employees to earn and take sick time will maintain a healthy workforce and promote a vibrant, productive, and resilient City. It is the City’s aspiration that all persons working in the City will be provided the right to earn and use paid sick time.

9.01.020 Definitions.

For purposes of this Chapter, the following definitions apply:

- A. “City” means the City of Portland as defined in Title 1 of the Code of the City of Portland.
- B. “BOLI Commissioner” means the Commissioner of the Bureau of Labor and Industries (BOLI) of the State of Oregon as established by ORS 651.020.
- C. “Employee” means an individual who has worked at least 240 hours in a calendar year within the geographic boundaries of the City, and is:
  - 1. An “Employee” under ORS 652.210 (1); or
  - 2. Employed as defined in ORS 653.010 (2);
  - 3. Engaged in work activity as a condition of receiving public assistance; or
  - 4. A home care worker as defined under ORS 410.600(8)
- D. “Employee” does not include:
  - 1. Independent contractors
  - 2. Those who are participating in a work study program under 42 U.S.C. Chapter 2753, or
  - 3. Railroad workers exempted under the Federal Railroad Insurance Act (45 USC 363).
- E. “Employer” means the same as that term is defined in ORS 653.010(3), but does not include:
  - 1. The United States Government; or
  - 2. The State of Oregon including any office, department, agency, authority, institution, association, society or other body of the state, including the legislature and the judiciary; or
  - 3. Any political subdivision of the State of Oregon or any county, city, district, authority, public corporation or public entity other than the City.

- F. “Family Member” means the same as that term is defined in ORS 659A.150 (4) and includes domestic partners as defined under ORS 106.310.
- G. “Health Care Provider” means the same as that term is defined in ORS 659A.150 (5).
- H. “Paid Time Off” or PTO is a bank of time provided by an Employer to an Employee that an Employee can use to take paid time off from work, without having to specify a reason.
- I. “Sick Time” means time that has been accrued and may be used by an Employee under this chapter, and that is calculated at the same hourly rate and with the same benefits, including health care benefits, as the Employee normally earns during hours worked and is provided by an Employer to an Employee at the accrual rate described in Section 9.01.030.
- J. “Sick Leave” means time off from work using Sick Time.
- K. “Retaliatory Personnel Action” means:
  1. Any threat, discharge, suspension, demotion, other adverse employment action against an Employee for the exercise of any right guaranteed under this Chapter, or
  2. Interference with, or punishment for, participating in any manner in an investigation, proceeding or hearing under this Chapter.
  3. Adverse employment actions based on Sick Leave use not covered in this Chapter are not Retaliatory Personnel Actions.

**9.01.030 Accrual of Sick Time.**

- A. Employers with a minimum of 6 Employees shall provide Employees with a minimum of one hour of paid Sick Time for every 30 hours of work performed by the Employee, except as otherwise provided in this Chapter.
- B. Employers with a maximum of 5 Employees shall provide Employees with a minimum of one hour of unpaid Sick Time for every 30 hours of work performed by the Employee, except as otherwise provided in this Chapter.
- C. Employees who are paid base wage plus piece rate, tips or commission shall accrue and be paid Sick Leave based on the base wage.
- D. Salaried executive, administrative or professional Employees under the federal Fair Labor Standards Act or the state minimum wage and overtime laws will be presumed to work 40 hours in each work week for purposes of earning and accruing Sick Time unless their normal work week is less than 40 hours, in which case Sick Time is earned and accrued based upon that normal work week.
- E. Employees who travel to the City and make a stop as a purpose of conducting their work accrue benefits under this Chapter only for the hours they are paid to work within the City.
- F. Employees may accrue a maximum 40 hours of Sick Time in a calendar year, unless the Employer provides, or is contractually obligated to provide, more. Sick time equivalent

to this amount may be given at the beginning of a calendar year to meet this requirement for accrual.

- G. Sick Time accrued by an Employee that is not used in a calendar year may be used by the Employee in the following calendar years. An Employer is not required to allow an Employee to carry over accrued hours in excess of 40 hours.
- H. If an Employee is transferred by an Employer to a separate division, entity or location of the Employer within the City, the Employee is entitled to all Sick Time accrued at the prior division, entity or location and is entitled to transfer and use all Sick Time as provided in this Chapter. If a Sick Time equivalent is given at the beginning of a calendar year, in accordance with subsection G of this section, the Employer is not required to allow an Employee to carry over accrued hours.
- I. Accrued Sick Time shall be retained by the Employee if the Employer sells, transfers or otherwise assigns the business to another Employer and the Employee continues to work in the City.
- J. An Employer shall provide previously accrued and unused Sick Time to an Employee who is rehired by that Employer within six months of separation from that Employer. The Employee shall be entitled to use previously accrued Sick Time immediately upon re-employment.
- K. An Employer with a minimum of 6 Employees who provides a minimum of 40 hours in a calendar year of paid time off through a PTO policy, or an Employer with a maximum of 5 Employees who provides a minimum of 40 hours per calendar year of unpaid time off, that can be used under the same provisions of this Chapter, is not required to provide additional Sick Time.
- L. Sick Time will begin to accrue for Employees who are employed on the date this ordinance takes effect on the effective date. New Employees shall begin accruing Sick Time on commencement of employment.
- M. An Employer with a Sick Leave or PTO policy in effect that provides the Employee with accrual of Sick Time that equals or exceeds the requirements of this Section is compliant with this section.

#### **9.01.040 Use of Sick Time.**

- A. An Employee may use Sick Time for the following qualifying absences:
  - 1. Diagnosis, care, or treatment of the Employee's, or the Employee's Family Member's, mental or physical illness, injury or health condition including, but not limited to, pregnancy, childbirth, post-partum care and preventive medical care;
  - 2. Purposes described in ORS 659A.272 Domestic Violence, Harassment, Sexual Assault or Stalking.

3. An absence from work due to:
  - a. Closure of the Employee's place of business, or the school or place of care of the Employee's child, by order of a public official due to a public health emergency;
  - b. Care for a Family Member when it has been determined by a lawful public health authority or by a Health Care Provider that the Family Member's presence in the community would jeopardize the health of others; or
  - c. Any law or regulation that requires the Employer to exclude the Employee from the workplace for health reasons.
- B. An Employee may use Sick Time:
  1. In increments of one hour, unless a lesser time is allowed by the Employer.
  2. To cover all or part of a shift.
  3. To cover a maximum of 40 hours per calendar year, unless otherwise allowed by the Employer or as provided by law.
- C. An Employee may not use Sick Time:
  1. If the Employee is not scheduled to work in the City on the shift for which leave is requested; or
  2. During the first 90 calendar days of employment, unless the Employer allows use at an earlier time.
- D. Except as allowed under subsection 9.01.040 F, An Employee, when absent from work for a qualifying reason under subsection 9.01.040 A, shall use accrued Sick Time hours on the first day and each subsequent day of absence until all accrued time has been used.
- E. An Employer may not require the Employee to:
  1. Search for or find a replacement worker as a condition of the Employee's use of Sick Time.
  2. Work an alternate shift to make up for the use of Sick Time.
- F. If the Employer allows shift trading, and if an appropriate shift is available, then the Employer shall allow the Employee to trade shifts instead of using Sick Time.
- G. Employers shall establish a written policy or standard for an Employee to notify the Employer of the Employee's use of Sick Time, whether by calling a designated phone number or by using another reasonable and accessible means of communication identified by the Employer for the Employee to use.
- H. The Employee shall notify the Employer of the need to use Sick Time, by means of the Employer's established policy or standard, before the start of the employees scheduled work shift or as soon as practicable.
- I. When the need to use Sick Time is foreseeable, the Employee shall provide notice to the Employer by means of the Employer's established policy or standard as soon as practicable, and shall make a reasonable effort to schedule the Sick Leave in a manner that does not unduly disrupt the operations of the Employer. The Employee shall inform

the Employer of any change to the expected duration of the Sick Leave as soon as practicable.

- J. For absences of more than 3 consecutive days, an Employer may require reasonable documentation that Sick Time has been used for one of the purposes listed in Subsection 9.01.040 A, including but not limited to:
  - 1. Documentation signed by a licensed Health Care Provider,
  - 2. Documentation for victims of domestic violence, harassment, sexual assault or stalking as provided in ORS 659A.280 (4), or
  - 3. A signed personal statement that the Sick Leave was for a purpose covered by Section 9.01.040.
- K. If an Employer chooses to require documentation of the purpose for the use of Sick Time, the Employer shall pay the cost of any verification by the Health Care Provider that is not covered by insurance or another benefit plan as provided in ORS 659A.168 (2).
- L. Employers suspecting Sick Leave abuse, including patterns of abuse, may require documentation from a licensed Health Care Provider verifying the Employee's need for leave at the Employee's expense. Indication of patterns of abuse may include but are not limited to, repeated use of unscheduled Sick Time on or adjacent to weekends, holidays, or vacation, pay day, or when mandatory shifts are scheduled.
- M. Nothing in this Chapter requires an Employer to compensate an Employee for accrued unused Sick Time upon the Employee's termination, resignation, retirement, or other separation from employment.
- N. An Employer with a Sick Time or PTO policy in effect that provides the Employee with use of Sick Leave that equals or exceeds the requirements of this Section is compliant with this section.

**9.01.050 Exercise of Rights Protected; Retaliation Prohibited.**

- A. It shall be unlawful for an Employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Chapter.
- B. An Employer shall not take Retaliatory Personnel Action or discriminate against an Employee because the Employee has exercised rights protected under this Chapter.
- C. Retaliatory Personnel Action shall not be taken against any person who mistakenly, but in good faith, alleges violations of this Chapter.
- D. It shall be a violation for an Employer's absence control policy to count earned Sick Leave covered under this Chapter as an absence that may lead to or result in an adverse employment action against the Employee.

**9.01.060 Notice and Posting.**

- A. Employers shall provide and post notice of Employee rights under this Chapter. The notice shall be in English and other languages used to communicate with the Employer's

workforce. The City may contract with the Bureau of Labor and Industries to create and disseminate the required poster. The City shall provide a template for the notice.

- B. In addition to providing Employees with written notice, Employers may comply with posting requirements of this section by displaying a poster in a conspicuous and accessible place in each establishment where Employees are employed. ,.
- C. An Employer who knowingly violates the notice and posting requirements of this section may be subject to a civil fine as provided in administrative rules.
- D. Fines shall not be assessed against any Employer who mistakenly, but in good faith, violates this Section.

#### **9.01.070. Employer Records.**

Employers shall retain records documenting hours worked, and Sick Time accrued and used by Employees, for a period of at least two years as required by ORS 653.045(1). Employers shall allow access to such records by BOLI or other agency authorized to enforce this Chapter.

#### **9.01.080 Administrative Rules Implementing this Chapter.**

- A. The City Attorney may adopt rules, procedures and forms to assist in the implementation of the provisions of this Chapter.
- B. All rules adopted to implement this Chapter shall be subject to a public review process.
- C. Not less than ten or more than thirty days before such public review process, a notice shall be published in a newspaper of general circulation and sent to stakeholders who have requested notice. The notice shall include the place and time, when the rules will be considered and the location at which copies of the full text of the proposed rules may be obtained.
- D. The duration of public review process shall be a minimum of 21 calendar days from the date of notification for written comment.
- E. During the public review process a designee of the City shall hear testimony or receive written comment concerning the proposed rules.
- F. The City shall review and consider the comments received during the public review process, and shall either adopt, modify, or reject the proposed rules.
- G. Unless otherwise stated, all rules shall be effective 60 days after adoption by the City Attorney and shall be filed in the office of the City Auditor.
- H. Notice of changes in Administrative Rules shall be published in a newspaper of general circulation, sent to stakeholders who have requested notice and posted on the BOLI and City web sites.



### **9.01.090 Enforcement.**

- A. The City may contract with BOLI to enforce this Chapter.
- B. Pursuant to agreement between BOLI and the City, enforcement may be governed by the procedures established pursuant to ORS 659A.800 *et. seq.*, ORS Chapter 652 or ORS Chapter 653, or such other procedures as may be agreed upon by BOLI and the City. Rules adopted by the City pursuant to Section 9.01.090 of this Chapter may also be used to implement enforcement and administration of this Chapter.
- C. Pursuant to agreement between BOLI and the City, any person claiming to be aggrieved by an unlawful employment practice under this Chapter may file a complaint with BOLI under procedures established under ORS 659A.820, ORS Chapter 652 or ORS Chapter 653, or such other procedures as BOLI or the City may establish for taking complaints which shall include options for resolution of complaints through such means as mediation.
- D. Pursuant to agreement, BOLI shall have the same enforcement powers with respect to the rights established under this Chapter as are established under ORS 659A.820 *et. seq.*, ORS Chapter 652 and ORS Chapter 653, and if the complaint is found to be justified, the complainant may be entitled to any remedies provided under ORS 659A.850 *et. seq.*, ORS Chapter 652 and ORS Chapter 653 and their implementing regulations and any additional remedies, provided that those remedies are specified in the agreement between the City and the BOLI Commissioner.
- E. Any person claiming to be aggrieved by a violation of this Chapter shall have a cause of action for damages and such other remedies as may be appropriate. Election of remedies and other procedural issues relating to the interplay between administrative proceedings and private rights of action shall be handled as provided for in ORS 659A.870 *et. seq.* The court may grant such relief as it deems appropriate.

### **9.01.100 Confidentiality and Nondisclosure.**

- A. If the Employer obtains health information about an Employee or Employee's Family Member, such information shall be treated as confidential to the extent provided by law.
- B. All records and information kept by an Employer regarding an Employee's request or use of Sick Time under subsection 9.01.040 (A)(2) shall be confidential as described in ORS 659A.280(5).

### **9.01.110 Other Legal Requirements.**

This Chapter provides minimum requirements pertaining to Sick Time and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard that provides for greater accrual or use by Employees of Sick Time, whether paid or unpaid, or that extends other protections to Employees.

**9.01.120 Public Education and Outreach.**

The City shall develop and implement an outreach program to inform Employers and Employees about the requirements for Sick Time under this Chapter.

**9.01.130 Severability.**

If any provision of this Chapter or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or application of the Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are declared severable.

**9.01.140 Application.**

This Chapter is effective January 1, 2014.

Substitute  
3-1-13

Portland, Oregon  
**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT**  
**For Council Action Items**

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Tom Bizeau		2. Telephone No. 503-823-3008	3. Bureau/Office/Dept. Commissioner Amanda Fritz
4.		5.	6.
4a. To be filed (hearing date):  March 7 <sup>th</sup> , 2013	4b. Calendar (Check One)  Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: 2/28/13
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

**1) Legislation Title:**

Authorize changes to the City Code that require protected Sick Time for employees of businesses who work in the City of Portland. (Ordinance)

**2) Purpose of the Proposed Legislation:**

Provide standards for businesses employing workers in Portland, to ensure a minimum level of Protected Sick Leave to safeguard workers, co-workers and the public

**3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?**

- City-wide/Regional       Northeast       Northwest       North  
 Central Northeast       Southeast       Southwest       East  
 Central City

**FINANCIAL IMPACT**

**4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.**

No

**5) Expense: What are the costs to the City as a result of this legislation? What is the source of funding for the expense?**

Cost: Ongoing cost associated with some seasonal employees in the City – Assumption is currently budgeted for casual and seasonal employees.

Cost: Approximately \$20,000 for enforcement and education on an ongoing basis. -- Level of Confidence: Moderate based on prior contracts.

Source: General Fund.

**6) Staffing Requirements:**

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?

None

- Will positions be created or eliminated in *future years* as a result of this legislation?

None

*(Complete the following section only if an amendment to the budget is proposed.)*

**7) Change in Appropriations** *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate “new” in Fund Center column if new center needs to be created. Use additional space if needed.)*

The effective date of this legislation and implementation will not occur until next fiscal year budget. The money needed to run this program will be appropriated in next year’s 2013-2014 budget.

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

**[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]**

## PUBLIC INVOLVEMENT

**8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:**

**YES:** Please proceed to Question #9.

**NO:** Please, explain why below; and proceed to Question #10.

**9) If “YES,” please answer the following questions:**

**a) What impacts are anticipated in the community from this proposed Council item?**

Under the current proposal, employees who currently do not receive any protected time off will be able to earn up to 40 hours per year of Sick Leave that can be used due to illness and/or healthcare needs of themselves or their families. This will result in a healthier workforce and will help to reduce the spread of disease among Portlanders. This proposal is particularly beneficial to low-income workers and communities of color, who are less likely to receive sick leave currently. There are concerns that the proposal may adversely impact the financial stability of small businesses that do not currently provide sick leave.

**b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?**

A diverse group of stakeholders—including local business owners, unions, and advocacy groups—met for over a year. There was extensive outreach by advocacy groups to small businesses and to the general public. The Commissioner’s staff along with staff from Commissioner Saltzman’s office met together three times with a small diverse group of business owners, union representatives, and advocates to help craft this legislation. A coalition of advocates gathered support in the community by door-to-door canvasses of over 11,000 residents and main street businesses, mailings, and communication with interest group members. On August 24th, 2012 a professional survey of 528 Portland voters was conducted by UFCW Local555, which showed 60 percent favor and just 15 percent opposed “a law that would guarantee all workers in Portland a minimum number of paid sick days to care for themselves or their immediate family members.” Multiple rallies have been held in various locations around the City to highlight the issue.

Some of the groups that participated in these year-long discussions in the community are:

Family Forward Oregon  
Voice for Oregon Innovation and Sustainability (VOIS)  
United Food and Commercial Workers  
SEIU Local 49  
Asian Pacific American Network of Oregon (APANO)

*Groups cont'd:*

Oregon Nurses Association  
CAUSA Oregon  
Urban League of Portland  
Upstream Public Health  
Working Families of America  
Center for Intercultural Organizing

Venture Portland staff and Neighborhood Business District members provided input that also help to shape the proposal, while not endorsing or opposing it. Other groups that were contacted included the NE Neighborhood Business Association, the African American Chamber, Oregon Bureau of Labor and Industries and Portland-area state legislators. Commissioner Fritz met with many groups to hear their concerns and input and has received over a hundred personal e-mails from employees and businesses for and against the concept. Hundreds of form e-mails, and thousands of hard copy form letters from Portland Citizens have been sent and personally delivered to Council Offices in City Hall showing support for the issue. Since issuance of the proposal for public comment on January 18, 2013, there have been multiple TV, Radio and newspaper articles for and against, that have been aired. Twelve media articles on the issue were published between October 2012 and January 18 2013. Earned Paid Sick Days has a web site <http://everybodybenefitsoregon.org> and a Twitter account posting frequent updates. Commissioner Fritz posted articles on her City blog, and the proposed Ordinance and Code on her web site.

On January 23, a Public Forum attended by 65 people was held to help educate interested parties about the proposed legislation and to collect suggestions.

The first reading before Council was held on January 31, 2013. More than 60 people signed up to testify, and approximately 200 attended. In the following three weeks, a Task Force convened by Commissioners Fritz and Saltzman, including representative of the Oregon Restaurant Association (ORLA), Portland Business Alliance (PBA), NW Grocery Association, unions, and business and employee advocates met three times to discuss the specifics in the proposal. Multiple amendments were made, as shown on the revised Code posted on Commissioner Fritz's site at <http://www.portlandonline.com/fritz/index.cfm?c=49205>.

**c) How did public involvement shape the outcome of this Council item?**

Multiple changes were made between initial concepts, the Proposed Code, and the Revised Proposed Code. Concerns from struggling small businesses prompted the change to unpaid Protected Sick Leave for employees in businesses of five or fewer employees. The Code is intentionally crafted to be simpler than Seattle's or San Francisco's sick leave regulations. Additional public involvement will occur when Administrative Rules are developed.

**d) Who designed and implemented the public involvement related to this Council item?**

Commissioner Fritz, Tom Bizeau, Milena Malone and the community advocates listed above.

**e) Primary contact for more information on this public involvement process (name, title, phone, email):**

Tom Bizeau, 503-823-3990, [tom.bizeau@portlandoregon.gov](mailto:tom.bizeau@portlandoregon.gov)

**10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.**

Yes. Following action by the Oregon State Legislature on adoption of statewide Protected Sick Leave standards, Commissioner Fritz will revisit whether to move forward with Portland-only standards. If this Ordinance moves forward to implementation, community members will be engaged in developing Administrative Rules, and in data-gathering and monitoring.

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APPROPRIATION UNIT HEAD (Typed name and signature)