

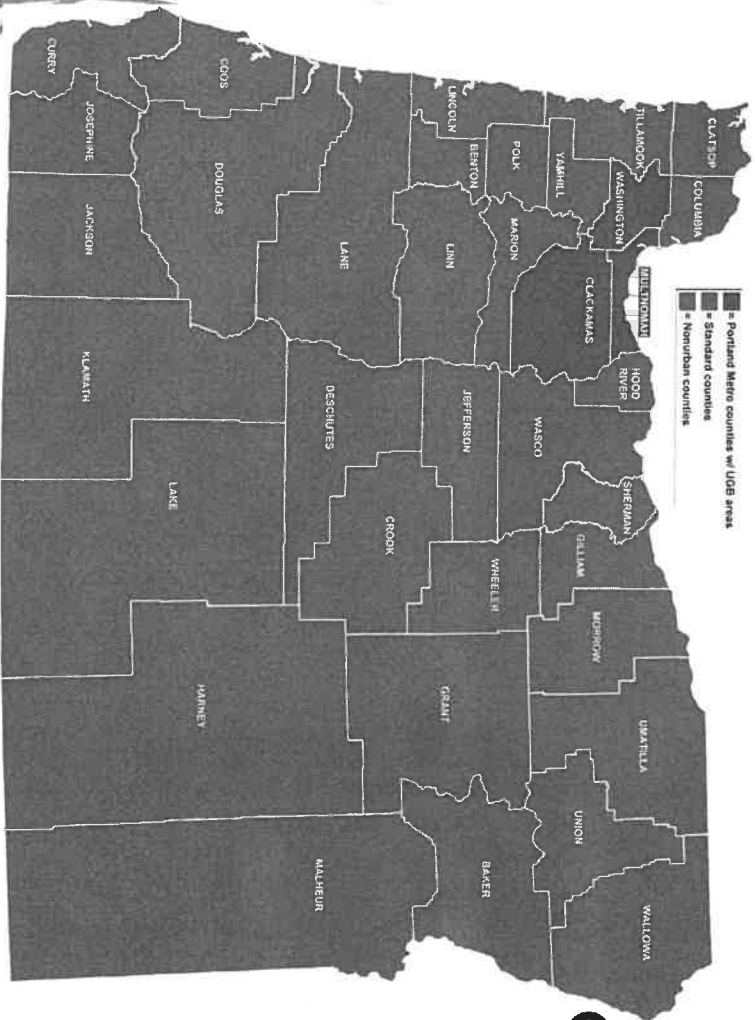
# Oregon minimum wage rates

ORS 653.025

OAR 839-020-0010 #

<http://www.oregon.gov/BOLI/WHD/OMW>

# Oregon minimum wage rates



**Green: Statewide / General**

**Blue: Urban Growth  
Boundary**

**Red: Rural / Non-Urban  
Counties**

## Oregon minimum wage rates

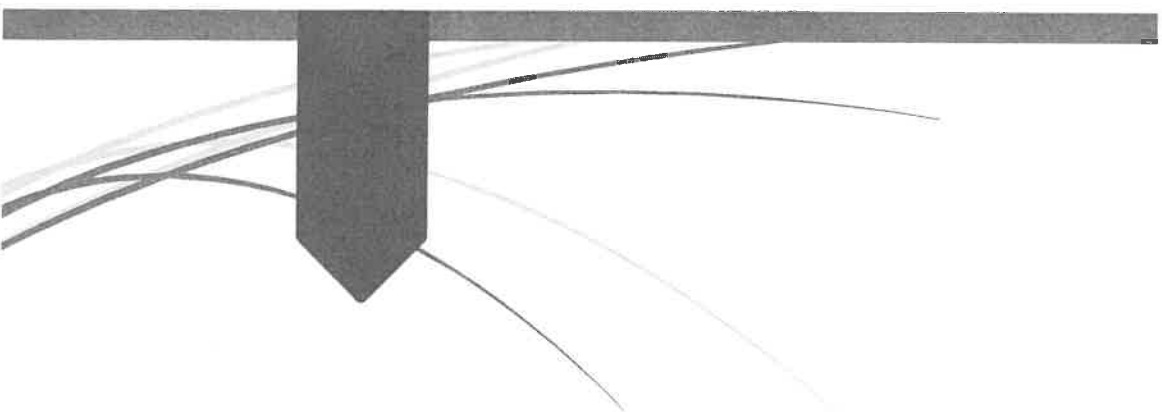
	Statewide	Portland Metro	Rural counties
July 1, 2016	\$9.75	\$9.75	\$9.50
July 1, 2017	\$10.25	\$11.25	\$10.00
<b>July 1, 2018</b>	<b>\$10.75</b>	<b>\$12.00</b>	<b>\$10.50</b>
July 1, 2019	\$11.25	\$12.50	\$11.00
July 1, 2020	\$12.00	\$13.25	\$11.50
July 1, 2021	\$12.75	\$14.00	\$12.00
July 1, 2022	\$13.50	\$14.75	\$12.50
July 1, 2023	CPI	\$1.25 over statewide minimum wage	\$1 less than statewide minimum wage

# **Oregon sick leave (or sick time) law**

**ORS 653.600-653.661**

**OAR Division 007**

**<http://www.oregon.gov/BOLI/WHD/OST>**



# Which employers must provide it?

## ▶ PAID SICK LEAVE:

- Portland employers that have at least 6 employees in at least 20 workweeks of current or previous year
- Employers outside Portland that have at least 10 employees in at least 20 workweeks

## ▶ UNPAID SICK LEAVE:

- Portland employers with less than 6 employees and all other employers with less than 10 in 20 workweeks
- “Employee” includes full-time, part-time, and temporary
- Law excludes employees covered by a CBA, employed through hiring hall, with joint employer trust/benefit plan

## Basics of sick leave law

- ▶ Employees accrue one hour of sick leave for every 30 worked in Oregon (or  $1\frac{1}{3}$  hours for every 40 hours)
- ▶ Employees accrue up to 40 hours per year – employer may adopt policy allowing more than this
- ▶ Even employers not required to provide paid sick leave must accrue unpaid sick leave in same manner
- ▶ Employers may “Frontload” 40 sick leave hours at start of each year as an alternative to accrual
- ▶ Employers may adopt a PTO (Paid Time Off) policy in lieu of sick leave policy if it is “substantially equivalent”
- ▶ Rate of sick pay is same as regular hourly rate of pay

## **Basics of sick leave law (continued)**

- **Employers must begin accrual on employee's first day of employment**
- **Employee is eligible to use accrued leave on 91<sup>st</sup> calendar day (but employer can allow earlier use)**
- **Employers must provide two types of notice:**
  - **general notice of substance of law in language used to communicate with employee (e.g., posters); AND**
  - **At least quarterly notice of accrued, unused leave available for use**



## **Basics of sick leave law (continued)**

- ▶ **Employees “carry over” to next year up to 40 unused sick leave hours**
- ▶ **Employers may limit total accrual to 80 hours**
- ▶ **And employers may limit use to 40 hours in a given year**
- ▶ **Employers must restore unused sick time to employees who are reemployed within 180 days of a separation**
- ▶ **Employer not required to “pay out” accrued unused sick leave upon employee’s separation from employment**



## **What can sick leave be used for?**

- ▶ **Employee's/family member's care or treatment for mental or physical illness, injury or health condition**
- ▶ **Employee's/family member's preventive medical care and routine dental care**
- ▶ **To deal with the death of a family member**
- ▶ **Public health emergency; closure of school, workplace, or child care facility by public official**
- ▶ **To seek medical treatment and other services for employee/employee's minor child/dependent related to domestic violence, harassment, sexual assault, or stalking**

## Oregon sick leave – family members

- Spouse
- Same-gender domestic partner
- Custodial parent
- Non-custodial parent
- Adoptive parent
- Foster parent
- Biological parent
- Stepparent
- Parent in law
- Parent of employee's same-gender domestic partner

- Grandparent
- Grandchild
- In loco parentis
- Biological child
- Adopted child
- Foster child
- Stepchild
- Child of same gender domestic partner

## **What employers can not do**

- ▶ **Deny, interfere with, restrain, or fail to pay an eligible employee for sick leave**
- ▶ **Retaliate or discriminate with respect to any term or condition of employment because an employee has inquired about or requested sick leave**
- ▶ **Require employee to find a replacement for work shift**
- ▶ **Require an employee to work an alternate shift or work additional hours/shifts to make up the use of sick leave**
- ▶ **Sick leave absences are protected from attendance policies!**

## What employers can do

- ▶ May make agreement with employee that employee can make up absent time without using sick leave
- ▶ May require employee to comply with employer's usual written notice and procedure requirements for foreseeable absences for requesting time off
- ▶ May require employee to provide advance notice, not to exceed 10 calendar days, prior to sick leave use if absence is foreseeable
- ▶ If reason is *unforeseeable*, employee is required to provide notice before start of scheduled shift or as soon as practicable

## **When employer can require verification**

**Employers may require verification documentation\*:  
(these are just some examples)**

- ▶ **If employee uses sick leave for more than three consecutive scheduled workdays**
- ▶ **If an employee commences sick time without providing notice required by the employer's policy**
- ▶ **If employer reasonably suspects employee is abusing sick time, regardless of whether employee has used sick time for more than three consecutive days**

**\* Employer must pay reasonable costs for obtaining documentation**



**For more about sick leave law:**

- ▶ **Contact BOLI's Technical Assistance  
for Employers**
- ▶ **Phone: 971-673-0824**
- ▶ **[bolita@boli.state.or.us](mailto:bolita@boli.state.or.us)**