

WORKPLACE PARTNERSHIP GROUP DETAILED POLICY DECISION OUTLINE - Draft for discussion, 1/25/16

I. SCOPE	<i>We recommend a policy that covers:</i>	NOTES
A) Covered employers	1. Employers based in Minneapolis	
	2. Employers with employees who work within Minneapolis, regardless of employer location	
	3. Only employers in sectors with significant public health exposure	Define at employer or employee level?
B) Covered employees	1. All employees who work within Minneapolis	
	2. All employees who conduct at least __ hours of work a year in Minneapolis	
II. USAGE	<i>We recommend a policy that allows usage of sick time for:</i>	
A) Employee vs employee + family	1. Employee health needs only	
	2. Health needs of employee as well as family members, broadly defined	Consider definitions from other cities
B) Circumstances that qualify for the usage of “sick” time	Mental and physical illness, injuries, health conditions, diagnostic and preventive care, school closures due to public health or other emergencies.	State law requires paid sick leave policies to also cover safe leave usage. Text could make note of this law, and reflect feedback from listening sessions on this issue.

C) Increments of usage	1. Full shift/day is the smallest increment of time that can be taken off as “sick time”	
	2. Partial shift/day can be taken off as “sick time”	This issue here is the “doctor’s appointment” or the child who is sick for only part of the school day. Smallest increment allowable in employer payroll system?
D) Doctor’s note/ documentation	1. Doctor’s note or other employee proof of illness for time taken	Potential for inappropriate use, balanced with cost and difficulty of getting a doctor’s note, and employee privacy considerations. (Related issue: advance notice.)
	2. No doctor’s note requirement	
E) Relationship to PTO/overall mechanism	1. Sick days are accrued/used separately than other forms of PTO, vacation and other types of leave.	
	2. Paid leave policies – such as employer PTO policies, other types of leave policies or existing agreements – are in compliance with the ordinance if they meet the minimum standards.	
	3. Sick days program is administered by the city through a payroll tax into a fund that pays for sick days for all workers in Minneapolis.	
III. ACCRUAL/MECHANISM	<i>We recommend a policy that contains the following provisions:</i>	
A) Accrual vs other mechanism	1. Employee receives full allotment of sick time at commencement of employment, and receives the same allotment at the beginning of each year of employment thereafter.	
	2. Employees accrue sick time according to a specified accrual rate (e.g. 1 hour for every 30 hours worked)	

B) Amount of time received/earned	If an accrual system, an employee should earn sick time at the rate of 1 hour for every 30 hours worked. If using an allotment system, an employee should receive amount equivalent to accruing at that rate for one year.	Recommendation language on this item depends on outcome for preceding topic (accrual vs other mechanism)
C) Carryover	Sick time that is accrued and unused may carry over into the following year.	Group may wish to consider a cap on the amount of time that may be carried over (such as a cap equivalent to a full year of accrual) to mitigate financial liability associated with large accrued leave balances.
D) Distinctions by size of employer	Employees working for employers with less than 5 employees may earn no more than ___ days/hours of sick time in a year.	
E) Provisional period at start of employment	Employee begins to accrue time immediately, but the use of sick time is at the employer's discretion in the initial 2-3 months of employment	Employee gains by accruing immediately, but employer is also protected by not having to grant time for summer employees, for example.

IV. MONITORING, ENFORCEMENT & IMPLEMENTATION	<i>We recommend that the City of Minneapolis:</i>	
<i>This section is still under development</i>		
A) Education and outreach	<i>Undertake proactive, culturally appropriate outreach and education efforts to ensure that employees and employers are aware of the new policy and understand it. On an ongoing basis, employers and employees should receive timely, updated, accurate and easy-to-understand information about rights and responsibilities.</i>	
B) Enforcement system	<i>Design a robust enforcement system that maximizes employer compliance and provides fully accessible avenues for bringing and resolving complaints.</i>	<i>May include both complaint-based and more proactive methods of enforcement</i>
C) Retaliation	<i>Ensure that all workers are protected from retaliation in any form.</i>	<i>Text could note some of the forms of retaliation mentioned in listening sessions</i>
D) Remedies/penalties for violations	<i>Create remedies/penalties that maximize compliance ...</i>	
E) Recordkeeping/ notice	<i>Ensure recordkeeping rules will provide timely and sufficient information to the city and employees, as needed, without undue administrative burdens on the employer.</i>	
F) Ongoing reporting, monitoring and policy improvements	<i>Ensure that employers and employees have opportunity to monitor implementation, receive relevant data on the ordinance in practice, and consider potential policy changes.</i>	