

WORKPLACE PARTNERSHIP GROUP
—Fifth Business Meeting—
Monday, February 8, 2016; 7:30 a.m.
Minneapolis City Hall – Room 319

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1. **Call to Order**

The Chair called the meeting to order at 7:32 a.m. The following members were found to be in attendance:

Attending: Steve Cramer; Liz Doyle; Brian K. Elliott; Dayna Frank; Stephanie Gasca; Molly Glasgow; Chelsie Glaubitz Gabiou; Ron Harris; Christopher Carl Pennock; Guillermo Alexander Lindsay; Tony Lacroix-Dalluhn; Wade Luneburg; Bruce Nustad; Jim Rowader; Danny Schwartzman; and Sarah Webster Norton [See attached attendance sheet]

The following staff members were also present: Nuria Rivera-Vandermyde; Luke Weisberg; Casey Carl; Gretchen Musicant; and Sasha Bergman.

2. **Acceptance of Minutes – Fourth Business Meeting: February 1, 2016**

On motion by Luneburg, the minutes of the Fourth Business Meeting conducted Monday, February 1, 2016, were approved.

3. **Report from the Chair**

A. Review concurrence on policy scope recommendations

An updated draft of the decision matrix—first presented at the February 1, 2016, business meeting—was reviewed. At that prior meeting, members had reached initial consensus around policy elements related to scope and coverage [See attached Detailed Policy Decision Outline, dated February 8, 2016].

Ms. Rivera-Vandermyde presented members with a spreadsheet detailing various policy elements from comparable jurisdictions where local sick time policies had been enacted [See Comparison of City Paid Sick Time in US in relation to WPG Policy Decision Outline].

4. **Unfinished Business**

A. Review of key decision points on policy usage and accrual mechanism recommendations

Mr. Weisberg facilitated a review of key decision points related to usage and accrual mechanisms for earned sick time. While members agreed that a sick time policy should encompass more than just an individual, defining the scope of that coverage was difficult. One option was to tie definitions of family to those established in relevant state law, found under Minnesota Statutes § 181.9413 (Sick leave benefits; care of relatives), which essentially defined a familial relationship within two degrees of the individual receiving the paid sick and safe leave benefits. Another

option was to tie definitions of family to what was established in the City of Minneapolis's civil service rules; specifically, under Rule 18 (Definitions), which extended an individual's paid leave benefits to a broader scope of defined relatives, including "members of the employee's household." It was explained that the City's definition of family—while broader perhaps than that provided in state statutes—did, in fact, encompass the state's definition as well; it merely expanded that definition to provide greater coverage. Members also discussed whether any effort should be incorporated to include bereavement leave. Ultimately, it was decided that addressing this specific form of leave might be outside the WPG's charge, but could be addressed with strong encouragement in the final report to the Mayor and City Council.

Through discussion, members reached general consensus on the following recommendations:

- Paid sick leave benefits should be available to the employee and also extend to provide coverage for that employee's family members, with "family members" defined as broadly as possible, in concert with feedback about that need gathered during community listening sessions. One option was to base this definition on what was established under the City's civil service rules. [See II.A.2. from the decision matrix.]
- Paid sick leave benefits should not only address physical illness, but should also address mental wellness too, as well as injury, diagnostic and preventive care, and potential impacts from more generalized public health emergencies (including, as an example, school closures related to health concerns, as differentiated from weather-related factors). Although state law already ensured "safe time" was provided to all workers [See *Minnesota Statutes 181.9413 (b)*], the WPG report could highlight the importance of this protection and reflect the feedback gathered during community listening sessions about this critical need. [See II.B.1. from the decision matrix.]

With respect to increments of usage, the consensus of members was to pursue more generalized policy language that enabled employers to tailor a minimal usage policy based on the demands or practices of a specific industry, within an overall municipal policy requirement. Again, members agreed that a municipal policy established a minimum threshold of policy expectations, but acknowledged the need of employers to respond to differing work conditions based, at least in part, on industry, size of business (including number of employees), existing work conditions, etc. Concern was expressed about the unintended consequences that could incur if the City were to override the operating needs of businesses by dictating one-size-fits-all mandates, another point emphasized during community listening sessions. The consensus of members was to provide policy language that would allow employees to take whatever amount of time was available based on the accrual increments that employers used to document time, subject to the potential for limitations (caps) on the total amount of accruals. [See II.C. from the decision matrix, noting need for additional editing on preferred policy language.]

With respect to required documentation, members reached consensus that a provision must be included to enable employers to request documentation to verify illness, thereby justifying the use of earned/paid sick time, to avoid potential abuse by workers. Balancing that business need, however, was the need to avoid retaliation by employers which might prevent an employee from otherwise using earned sick time. Members indicated a preference for permissive policy language that enabled employers to request documentation from a physician when a clear pattern of abuse was observed; however, there was consensus that the default position should be not to mandate such documentation, since this itself could present unnecessary burdens to workers. Ms. Rivera-Vandermyde pointed to examples from comparable jurisdictions, as outlined in the spreadsheet she had distributed, indicating that the WPG could adapt some language from

existing policies to craft a statement that worked best for Minneapolis. [See II.D.2, as a default, but adding permissive language that enabled an employer to request documentation in certain circumstances; for example, if a clear pattern of abuse is observed.]

Members concurred that a policy should incorporate some provisional period before paid sick leave benefits could be used by employees, but differed in terms of how that timeframe was determined. The usual policy provision was 90 to 120 days, and was applied across multiple industries; therefore, mirroring such requirements would be consistent with other jurisdictions and provide uniformity for large businesses operating in multiple locations, a point raised during community listening sessions. Another option was to “front-load” benefits to employees so that a limited number of paid sick hours were available at the beginning of employment, which provided workers a bit more flexibility. The overall consensus was that while workers should begin to accrue earned sick time immediately upon hire, a provisional (waiting) period should also be included, potentially at the employer’s discretion, before those benefits could be used by employees. [See II.E.1. from the decision matrix.]

With respect to connections to Paid Time Off (PTO) policies, members agreed that any existing benefits plans or programs which satisfied the minimum threshold of a municipal policy should not be impacted. Therefore, if an employer offered PTO, but didn’t separately account for sick leave accruals, that employer would be deemed to be in compliance, provided the total accruals for PTO at least were comparable to what was required under the municipal policy. [See II.F.1. from the decision matrix.] The largest discussion centered on whether the WPG would submit recommendations which encouraged a city-wide sick leave program, funded through a payroll tax, which would guarantee paid sick leave benefits to all workers in Minneapolis. It was noted this remedy would require action by the State Legislature, since the City of Minneapolis currently lacked the legal authority to administer such a program.

Members generally concurred that if the City had the legal authority to levy a payroll tax and administer a city-wide sick leave benefit program, it would provide the cleanest approach to addressing public health and equity goals tied to the question of earned sick time. Nevertheless, this was an aspirational goal, and it was suggested that the WPG could strongly recommend that the City of Minneapolis pursue this option through its state legislative platform. [See II.F.4. from the decision matrix.]

In reviewing the decisions already reached through consensus, it was suggested that the final report might be structured to present recommendations with respect to immediate goals, mid-term goals, and long-term goals. In that regard, it was agreed that a municipal program—like that described above—would fit as a long-term goal.

5. New Business

A. Review key decision points on policy elements related to monitoring, enforcement, and implementation

Due to timing limitations, no discussion on these aspects of the proposed policy were addressed at this meeting, but will be postponed to the next business meeting, scheduled for Thursday, February 11, 2016, at 2 p.m.

B. Updated WPG Schedule

Members agreed to extend the times for its remaining business meetings; thus the revised schedule is as follows—

Thursday, February 11, 2016
2:00 – 5:00 p.m.
City Hall – Room 319

Wednesday, February 17, 2016
7:30 – 10:30 a.m.
City Hall – Room 319

In addition, members were asked to hold Monday and Tuesday, February 22 and 23, for potential additional business meetings, at which time the final report would be reviewed in its entirety and the formal vote taken on its content and submission to the Mayor and City Council.

6. Adjournment

With no further business to be presented, on motion by Nustad the meeting adjourned at 9:40 a.m.

Workplace Partnership Group

ATTENDANCE SIGN-IN SHEET Monday, February 8, 2016



Susie Brown

Steve Cramer

Molly Glasgow

Christopher Carl Pennock

Guillermo Alexander Lindsay

Liz Doyle

Ron Harris

Faisal A. Mohamud Deri

Dayna Frank

Tony Lacroix-Dalluhn

Jim Rowader

Danny Schwartzman

Brian K. Elliott

Chelsie Glaubitz Gabiou

Wade Luneburg

Bruce Nustad (alternate)

Sarah Webster Norton (alternate)

Stephanie Gasca (alternate)

Abdirahman Kahin (alternate)

CITY OF MINNEAPOLIS

WORKPLACE REGULATIONS PARTNERSHIP GROUP

BUSINESS MEETING

MONDAY, FEBRUARY 8, 2016



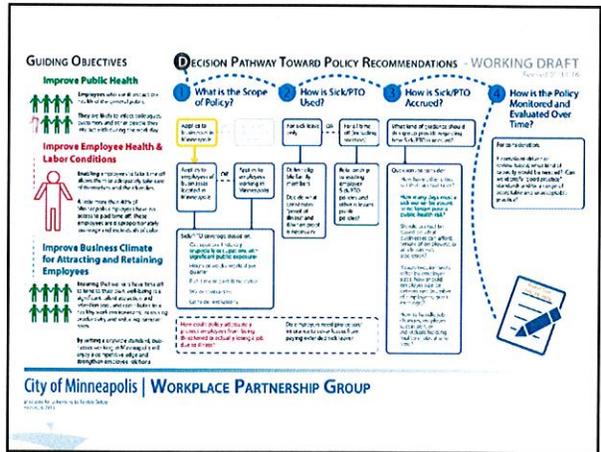
OUR AGENDA

1. Call to Order
2. Acceptance of Minutes from 2/1/16 meeting
3. Report from the Chair
4. Unfinished Business
 - A. Decision points on "usage"
 - B. Decision points on "accrual"
5. New Business
6. Adjournment

WRP Calendar (at 2/8/16)

MON 2/1/16	WPG Business Meeting #4	11:30 am to 1:30 pm
MON 2/8/16	WPG Business Meeting #5	7:30-9:30 am
THU 2/11/16	WPG Business Meeting #6	3:00-5:00 pm
WED 2/17/16	WPG Business Meeting #7	7:30-9:30 am
MON 2/22/16 TUE 2/23/16	POSSIBLE WPG Business Meeting #8	TBD

Recommendations forwarded to COW for presentation on WED 2/24/16



DECISIONMAKING PROCESS

- **Ground Rules for Group Decision Making**
- The facilitator will use the following scale to poll the group on whether consensus has been reached. Participants will express their level of comfort and commitment by indicating:
 1. Wholeheartedly agree
 2. Good idea
 3. Supportive
 4. Reservations – would like talk
 5. Serious concerns – must talk
 6. Cannot be part of the decision
- If all participants fall between 1 and 3, consensus on the item is assumed. When someone falls between 4 and 6, that person must state their concerns clearly and offer a constructive alternative. The group will attempt to meet the interests of those parties, without diminishing their own interests.

SCOPE: EMPLOYEES COVERED

- If you work in the City of Minneapolis at least 80 hours in a year for any given employer (regardless of where your employer is located or the hours you work), you will have access to earned/paid sick time.
- Exempt employees are considered to work 40 hrs a week for purposes of accrual, unless there is evidence that they work less than that.

USAGE:

- II. A. 2 – using existing City of Minneapolis definition.
- II. B. 1 – with separate note about bereavement.
- II. C. 2. – Time can be taken as needed within whatever increments employers currently document time (within broader caps)
- II. D. 1.– Documentation may be requested if there is a clear pattern of abuse.

USAGE:

- II. F. 1. Don't separate...encouraging sufficient accrual hours.
- II. F. 2. handled through prior conversation.
- II. F. 3. – How to define equivalency:
 - Minimum Requirements = 100%
 - Required/Suggested
- II. F.4. – Include longer-term recommendation that city explore and pursue this through state legislative agenda.

WE WILL MEET AGAIN...

- Next WPG Business Meeting, Thursday, February 11, 2:00 to 5:00 pm at Minneapolis City Hall



WORKPLACE PARTNERSHIP GROUP DETAILED POLICY DECISION OUTLINE at 2/1/16
 Yellow highlight indicates choices confirmed by Workplace Partnership Group

I. SCOPE	We recommend a policy that covers:		NOTES	Consensus check	Complete!
A) Covered employers	1. Employers based in Minneapolis			1/25/16	
	2. Employers with employees who work within Minneapolis, regardless of employer location		May consider employer size threshold	1/25/16	2/1/16
	3. Only employers in sectors with significant public health exposure		Define at employer or employee level?	1/25/16	
B) Covered employees – FT/PT	1. Only full-time employees are covered			2/1/16	
	2. Both part-time and full-time employees are covered				
	1. All employees who work within Minneapolis		If you work in the City of Minneapolis (regardless of where your employer is located) at least 80 hours in a year for one employer, you will have access to earned/paid sick time.		
C) Covered employees – hours threshold	2. All employees who conduct at least 80 hours of work a year in Minneapolis		Exempt employees are considered to work 40 hrs a week for purposes of accrual, unless there is evidence that they work less than that.		

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	Build on state code 181.943 and consider other municipal ordinances				
B) Inclusion of mental health for usage	1. 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.				
		2. Usage restricted to physical illness.				
	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?				
C) Increments of usage	1. Doctor's note or other employee proof of illness for time taken (perhaps after a specified number of consecutive days).	Potential for inappropriate use, balanced with cost and difficulty of getting a doctor's note, and employee privacy considerations.				
	2. No documentation required.	Group may consider if there is a third option on this issue				
D) Documentation	1. 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				
	2. No documentation required.					
E) Provisional period at start of employment						

	<p>2. If an accrual system, employee accrues at a rate other than 1 for 30.</p> <p>1. Sick time that is accrued and unused may carry over in full into the following year.</p> <p>2. Sick time that is accrued and unused may be carried over with a cap on the total amount of time that may be carried over year to year.</p> <p>3. Sick time that is accrued and unused may not be carried over from year to year.</p>	<p>Related considerations:</p> <p>(1) Availability of accrued sick time for employees who change jobs within a business; or who return after a leave of absence;</p> <p>(2) Honoring accrued sick time in the event of a business sale or merger;</p> <p>(3) Ability to cash out accrued leave at year end, or donate time</p>		
C) Carryover	<p>1. A cap is placed on the total number of days an individual may use in the course of a year</p> <p>2. No cap is placed on the total number of days an individual may use in the course of a year</p>	<p>This issue takes into consideration individuals working more than 40 hours a week</p>		
D) Caps	<p>1. Employees working for employers with less than 5 employees may earn no more than ___ days/hours of sick time in a year.</p> <p>2. Employees working in Minneapolis accrue/earn paid sick time at the same rate and with the same caps, regardless of size of employer.</p>	<p>Consider micro-employers? Consider start-ups /length of time business has been in operation?</p>		
E) Distinctions by size of employer				

IV. MONITORING, ENFORCEMENT & IMPLEMENTATION	<i>We recommend that the City of Minneapolis:</i>	
A) Education and outreach	<p>Undertake proactive, culturally appropriate outreach and education efforts to ensure that both employees and employers are aware of the new policy and understand it. On an ongoing basis, employers and employees should receive timely, accurate and easy-to-understand information about rights and responsibilities. Small-business and community-based organizations should be enlisted as partners to expand the reach of education and outreach efforts.</p>	<p>May include both complaint-based and more proactive methods of enforcement</p>
B) Enforcement system	<p>Design a robust enforcement system that maximizes employer compliance and provides efficient and fully accessible avenues for bringing and resolving complaints. Components of enforcement system should include:</p> <ol style="list-style-type: none"> 1. Survey or other regular evaluation methods to identify patterns related to compliance and usage. 2. Incentives related to recognition or other benefits to businesses that meet or exceed standards put forth by this policy. 3. Financial penalties for noncompliance that are sufficient to maximize compliance with policy (and level the playing field for compliant employers). 4. Identify an ombudsperson that employers and employees may contact with issues/problems related to the policy in content or implementation 	<p>A delay in implementation of penalties for small employers may be considered to ensure sufficient time to implement new policy.</p>

<p>C) Protections</p>	<ol style="list-style-type: none"> 1. Ensure that workers are protected from retaliation in any form 2. Clarify that an employer maintains its right to take disciplinary action when clear evidence exists of a pattern of an employee using leave for purposes other than those provided under the law. 	<p>Text could note some of the forms of retaliation mentioned in listening sessions (e.g. reduction in hours)</p>
<p>D) Notice and Recordkeeping</p>	<ol style="list-style-type: none"> 1. Create notice provisions that provide information on rights and responsibilities to employees in a fully accessible manner (including linguistic accessibility). 2. Ensure recordkeeping rules will provide timely and sufficient information to the city and employees, as needed, without undue administrative burdens on the employer. 	
<p>E) Ongoing reporting, monitoring and policy improvements</p>	<p>Ensure that employers and employees (and employer/employee representatives) have opportunity to monitor implementation, review relevant data on the ordinance in practice, and consider potential policy changes.</p>	

181.9413 SICK LEAVE BENEFITS; CARE OF RELATIVES.

(a) An employee may use personal sick leave benefits provided by the employer for absences due to an illness of or injury to the employee's child, as defined in section 181.940, subdivision 4, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent, for reasonable periods of time as the employee's attendance may be necessary, on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury. This section applies only to personal sick leave benefits payable to the employee from the employer's general assets.

(b) An employee may use sick leave as allowed under this section for safety leave, whether or not the employee's employer allows use of sick leave for that purpose for such reasonable periods of time as may be necessary. Safety leave may be used for assistance to the employee or assistance to the relatives described in paragraph (a). For the purpose of this section, "safety leave" is leave for the purpose of providing or receiving assistance because of sexual assault, domestic abuse, or stalking. For the purpose of this paragraph:

(1) "domestic abuse" has the meaning given in section 518B.01;

(2) "sexual assault" means an act that constitutes a violation under sections 609.342 to 609.3453 or 609.352; and

(3) "stalking" has the meaning given in section 609.749.

(c) An employer may limit the use of safety leave as described in paragraph (b) or personal sick leave benefits provided by the employer for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent to no less than 160 hours in any 12-month period. This paragraph does not apply to absences due to the illness or injury of a child, as defined in section 181.940, subdivision 4.

(d) For purposes of this section, "personal sick leave benefits" means time accrued and available to an employee to be used as a result of absence from work due to personal illness or injury, but does not include short-term or long-term disability or other salary continuation benefits.

(e) For the purpose of this section, "child" includes a stepchild and a biological, adopted, and foster child.

(f) For the purpose of this section, "grandchild" includes a step-grandchild, and a biological, adopted, and foster grandchild.

(g) This section does not prevent an employer from providing greater sick leave benefits than are provided for under this section.

(h) An employer shall not retaliate against an employee for requesting or obtaining a leave of absence under this section.

History: 1990 c 577 s 4; 1991 c 268 s 2; 2013 c 87 s 1; 2014 c 239 art 3 s 3

Comparison of City Paid Sick Time in US in relation to WPG Policy Decision Outline

Jurisdiction	Passage	Effective	Scope: covered employees	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self?	Usage: what can it be used for	Usage: how counted (accrual rate)	Usage: documentation	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Usage: relationship to PTO	Accrual: carryover
CA - state	2015	2015	All	<p>All employees that work with the same employer for at least 30 days/year (including part-time, per diem and temp.)</p> <p>Also includes employees of a staffing agency, so whoever is the employer or joint employer is required to provide paid sick leave</p> <p>Also includes seasonal workers; if they work with the same employer within 12 months of their separation and otherwise meet 30 day requirements</p> <p>Excludes:</p> <ul style="list-style-type: none"> Providers of publicly-funded In-Home Supportive Services (IHSS) Employees covered by collective bargaining agreements with specified provisions Individuals employed by an air carrier as a flight deck or cabin crew member, if they receive compensated time off at least equivalent to the requirements of the new law Retired annuitants working for governmental entities 	Includes parents, child, spouse, registered domestic partner, grandchild, and sibling	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	<p>Allows for two options:</p> <p>Accrual policy: 1 hour for every 30 hours worked</p> <p>No accrual/up front policy: full amount of leave available at beginning of year, except for new hires who need to wait 120 days (note: inconsistency within same Dept. Of Industrial Relations FAQ)</p>	Law is silent	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	Law allows employers to limit an employee's use of paid sick leave to 24 hours-3 days/year Accrual cap of no more than 48 hours-6 days/year	<p>If employee already offers PTO or sick time that meets requirements of new law, policy does not change</p> <p>Generally, minimum requirement is at least 24 hours or 3 days of sick leave/year</p> <p>Law also provides a "grandfather" clause which allows those with sick/PTO policies in existence prior to Jan. 1, 2015 to maintain them and be deemed in compliance as long as they meet the following:</p> <ul style="list-style-type: none"> Policy provides no less than 1 day or 8 hours of accrued paid sick/PTO within 3 months of employment per year The employee was eligible to earn at least 24 hours-3days sick leave/pto within 9 months of employment <p>Sick leave provided to governmental employees pursuant to either certain Government Code provisions or a memorandum of understanding presumed to meet the accrual requirements</p>	Yes, but employers are able to cap by policy
CA - San Francisco	2006	2007	All	<p>Employees employed in the city. Includes temp. and part-time workers</p> <p>Also includes occasional employees who work within the city for at least 56 hours or more/year</p> <p>Excludes:</p> <ul style="list-style-type: none"> CBA covered employees if CBA waives it in clear and unambiguous terms 	Includes children, parents, siblings, grandchildren, spouses; registered domestic partners; and, if a worker has no spouse/domestic partner, a designated person of the worker's choice	Physical/mental illness, injury or condition Safe time: no (med issues relating to domestic violence would count as regular use of sick time)	1 hour for every 30 hours worked	Employer may require if sick time used past 3 consecutive days	For qualified employees before effective date, starts immediately For new employees after effective date, after 90 days of employment.	Immediately upon accrual	72 hours/ year: employers with 10+ employees 40 hours/year: employers with less than 10 employees Note: cap is "floating" when an employee's accrued leave	Compliance can be achieved if employers meet minimum requirements of paid sick leave ordinance (more expansive than just complying with state law)	Yes up to yearly caps

Comparison of City Paid Sick Time in US in relation to WPG Policy Decision Outline

Jurisdiction	Passage	Effective	Scope: covered employees	Scope: covered employees (hours threshold) (exclusions)	Usage: Used beyond self?	Usage: what can it be used for?	Usage: how counted (accrual rate)	Usage: documentation	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Usage: relationship to PTO	Accrual: carryover
CA – Emeryville	2015	2015	All	Employees employed in the city who work at least 2 hours of work/week and who are entitled to min. wage under CA law Excludes: • Employees covered by a CAB expressly waiving the benefit	Yes – same as San Fran + time can also be used to care for a guide dog, signal dog, or service dog of the employee/ family member/ designated partner	Physical/mental illness, injury or condition Safe time: no (med issues relating to dom. viol would count as regular use of sick time)	1 hour for every 30 hours worked	Not addressed	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	55 or less employees: 48 hours/year 55+ employees: 72 hours/year [Note: size of employer is based on # of employees who work in Emeryville]	Not addressed so state law applies	Yes, but employers are able to cap by policy
CA – Oakland	2014	2014	All	Employees employed in the city who work at least 2 hours of work/week and who are entitled to min. wage under CA law Excludes: • Employees covered by a CAB expressly waiving the benefit	Yes – same as San Fran	Physical/mental illness, injury or condition Safe time: no (med issues relating to dom. viol would count as regular use of sick time)	1 hour for every 30 hours worked	Employer may require if sick time used past 3 consecutive days If employer suspects abuse, may require documentation to verify subsequent uses of sick leave even if less than 3 days	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	10 or less employees: 48 hours/year (originally had 40, but had to expand to meet state law) 10+ employees: 72 hours/year [Note: size of employer is based on # of employees regardless of location]	Compliance can be achieved if an employer offers PTO sufficient to meet or exceed accrual requirement of ordinance	Yes up to yearly caps
CT – state	2011, amended in 2014	2014, as amended	Any employer with 50+ employees in CT	All service workers as defined by law (per state classification and must be paid on hourly basis and exempt from min. wage/OT reqs. Excludes: • Day or temp. workers (work per diem or on occasional/irregular basis)	Includes child and spouse	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	1 hour for every 40 hours worked	3 days or more, employer may require "reasonable documentation" If foreseeable, employer may require advance notice not to exceed 7 days. If not, notice as soon as practicable	At start of employment or at effective date of law for current employees	After 680 hours of employment (or from law's effective date for current employees), and then can only use if worked an average of 10 hours/week in most recently completed quarter	40 hours/year	Employers in compliance if existing policy meets min. requirements of accrual rate and use	Yes – 40 hours per year regardless of how many accrued

Comparison of City Paid Sick Time in US in relation to WPG Policy Decision Outline

Jurisdiction	Passage	Effective	Scope: covered employers	Scope: covered employees (hours threshold) (exclusions)	Usage: Used beyond self?	Usage: what can it be used for	Usage: how counted (accrual rate)	Usage: documentation	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Usage: relationship to PTO	Accrual: carryover
DC - Washington	2008, amended in 2013	2014, as amended	All	All employed within city limits Excludes: <ul style="list-style-type: none"> Independent contractors Students Health care workers choosing to participate in a premium pay program Unpaid volunteers engaged in the activities of an educational, charitable, religious, or nonprofit organization Casual babysitters Bar and restaurant workers who work for a combination of wages and tips Workers in the building and construction industry covered by a CBA that expressly waives the requirement 	Includes children; spouse; parents (in-laws); grandchildren; children's spouses; siblings; and spouses; persons sharing residence with employee for at least 12 preceding months	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	1 hour for every 87 worked; employers with 24 or less employees 1 hour for every 43 worked; employers with 25-99 employees 1 hour for every 37 worked; employers with 100+ employees	Employer may require if sick 3 consecutive days	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	24 hour/year: employers with 24 or less employees 40 hours/year: employers with 25-99 employees 56 hours/year: Employers with 100+ employees	Compliance can be achieved if employers meet minimum requirements of paid sick leave ordinance	Yes up to yearly caps
MID - Montgomery County	2015	2016	All operating within county	All employees within county Excludes: <ul style="list-style-type: none"> Employees who do not have a regular work schedule with an employer; contact the employer for assignments and are scheduled for work within 48 hours of contact; have no obligation to work for the employer without having initiated contact, and are not employed by a temp. agency Employees working less than 8 hours/week Independent contractors 	Includes children; parents and legal guardians; spouses; grandparents; (and spouses); grandchildren; siblings (and spouses)	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	1 hour for every 30 hours worked (<i>but see cwp</i>)	Employer may require if sick 3 consecutive days	At start of employment (or if already employed at ordinance's effective date)	Employer may opt to limit access until after 90 days of employment Employer also allowed to "front load" hours	56 hours/year For businesses with less than 5 employees, only 32 hours must be paid and 24 can be provided on an unpaid basis	Not addressed	Yes up to yearly caps (though can use up to 80 hours/year if they have that amount when time has been carried over) Employers that provide "front loaded" time need not allow carryover
NJ - Jersey City Newark Passaic East Orange Paterson Irvington Trenton Monclair Bloomfield Elizabeth	2013	2014	All operating within city	Employees employed in the city who work 80 hours/year Excludes: <ul style="list-style-type: none"> Employees of any govt. NJ school district, Bd. of Ed., & Rutgers U. Independent contractors 	Includes children; parents; parents of a spouse or domestic/civil union partner; spouses; domestic/civil union partners.	Physical/mental illness, injury or condition Safe time: no (med issues relating to dom. viol would count)	1 hour for every 30 hours worked (for both paid and unpaid sick time)	Employer may require if sick 3 consecutive days	At start of employment (or if already employed at ordinance's effective date)	After 90 days of employment	40 hours/year: employers with 10+ employees 40 hours of unpaid sick time/year: employers with	Compliance can be achieved if employers meet minimum requirements of paid sick leave ordinance	Yes up to yearly caps

Comparison of City Paid Sick Time in US in Relation to WPG Policy Decision Outline

Jurisdiction	Passage	Effective	Scope: covered employees	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self?	Usage: what can it be used for (if sick time)	Usage: how counted (accrual rate)	Usage: documentation	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Usage: relationship to PTO	Accrual: carryover
NY - New York City	2014	2014	Employers with 5+ employees	Employees employed in the city who work more than 80 hours/year are covered. Domestic workers included where they've worked for the same employer for at least 1 year and over 80 hours/year. Includes part-time, temp., per diem and on call, undocumented, and transitional job program employees. Also includes telecommuters provided they qualify as working within the city.	Includes children, spouses; registered domestic partners; parents, grandchildren, grandparents; siblings; and the parents of a spouse or domestic partner	Physical/mental illness, injury or condition Safe time: no (med issues relating to don't void would count as regular use of sick time)	1 hour for every 30 hours worked (for both paid and unpaid sick time, as described below)	Employer may require if sick time used past 3 consecutive days	At start of employment (or if already employed at ordinance's effective date)	After 120 days of employment	40 hours/year: employers with 5+ or employees 40 hours of unpaid sick time/year: employers with less than 5 employees	Compliance can be achieved if employers meet minimum requirements of paid sick leave ordinance	Yes up to yearly caps
OR - state	2015	2016	All that employ 10+ employees	Employees within state including part-time and temp. Excludes: • Certain employees who	Includes child; spouse; same-gender domestic partner; parent (in-laws); parent of an employee's same-gender domestic	Physical/mental illness, injury or condition Safe time: yes (both employee	1 hour for every 30 hours worked or 1 1/3 hour for every 40 hours worked	Employer may require if sick time used past 3 consecutive days	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	40 hours/year	Employers in compliance if their plan is "substantially equivalent" to the minimums of the law established	Yes - up to 40 hours though employers may adopt policies that limit accrual to no more than

Comparison of City Paid Sick Time in US in relation to WPG Policy Decision Outline

Jurisdiction	Passage	Effective	Scope: covered employers	Scope: covered employees (hours threshold) (exclusions)	Usage: Used beyond self?	Usage: what can it be used for	Usage: how counted (accrual rate)	Usage: documentation	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Usage: relationship to PTO	Accrual: carryover
OR - Portland	2013	2014	All except federal, state and other subdivisions of city/county/state govt. that employ at least 6= employees	Employees employed in the city who work 240 hours/year (regardless of employer location); includes temp. employees, staffing agencies and telecommuters (latter depends on where the employee is conducting the work) Excludes: <ul style="list-style-type: none"> A co-partner of the Employer An independent contractor A participant in a work training program administered under state or Federal assistance laws A participant in a work study program that provides students in secondary or post-secondary educational institutions with employment opportunities for financial and/or vocational training Railroad workers exempted under the Federal Railroad Insurance Act 	Includes child, spouse, same-gender domestic partner; parent (in-laws); parent of an employee's same-gender domestic partner; grandparent or grandchild; person with whom the employee is or was in a relationship of in loco parentis	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	1 hour for every 30 hours worked or 1 1/3 hour for every 40 hours (generally applies to salaried employees)	Employer may require if sick time used past 3 consecutive days	At start of employment (or if already employed at ordinance's effective date)	After 90 days of employment provided they worked a minimum 240 hours/year	40 hours/year though employers can allow more	Compliance can be achieved if employers meet minimum requirements of paid sick leave ordinance	Yes up to yearly caps for accrued time Employers that provide "front loaded" time need not allow carryover
PA - Philadelphia	2015	2015	All employees with 10+ weeks/year	Employees employed in the city who work 40 hours/year Excludes: <ul style="list-style-type: none"> Independent contractors Seasonal workers (hired for not more than 16 weeks/year) 	Includes children, parents, parents-in-law, spouses, grandparents (and spouses); siblings (and spouses); life partners (a long-term	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	1 hour for every 40 hours worked	Employer may require if sick time used past 2 consecutive days	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	40 hours/year; 10+ employees	Compliance can be achieved if an employer offers PTO sufficient to meet or exceed accrual requirement of ordinance and as long as employee can use in the same manner as required in ordinance	Yes up to yearly caps Employers that provide "front loaded" time need not allow carryover

Comparison of City Paid Sick Time in US in Relation to WPG Policy Decision Outline

Jurisdiction	Passage	Effective	Scope: covered employers	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self?	Usage: what can it be used for	Usage: how counted (accrual rate)	Usage: documentation	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Usage: relationship to PTO	Accrual: carryover
WA - Seattle	2011	2012	Businesses with 4+ employees	<ul style="list-style-type: none"> Adjuer professors Interns Workers hired for a term of less than 6 months State and federal employees Health care professionals (excluding those employed by a temp placement agency) who only work when they say that they are available and who aren't obligated to work, if they are not available Employees covered by a bona fide CBA 	committed relationship between two unmarried individuals of the same sex or gender identity who meet certain, specified requirements)	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	1 hour for every 30 hours worked; employers with 250+ employees (Tier 3) 1 hour for every 40 hours worked; employers with 4-249 employees (Tier 1 and Tier 2)	Employer may require if sick time used past 3 consecutive days. Employer may ask for documentation for absences shorter than 3 days if there is a clear instance or pattern of abuse Police report required for paid safe time Where employer offers health ins., employer/ye each pay \$50% of cost for documentation; if employee declined health ins., not entitled to reimbursement	At start of employment (or if already employed at ordinance's	After 180 calendar days of employment	40 hours/year: employers with 4-49 FTE's 56 hours/year: employees with Businesses with 50-250 FTE's 72 hours/year (or up to 108 hours/year if the employer has a universal paid time off policy); employers with 250+ FTE's	Combined or universal leave (PTO) policies are permitted provided they comply with the underlying sick time ordinance	Yes up to yearly caps
WA - Tacoma	2015	2016	All except fed govt, state, county local	<ul style="list-style-type: none"> Employees employed in the city who work 80 hours/year Excludes: <ul style="list-style-type: none"> Work-study 	Includes children; parents; grandparents; spouses; domestic partners (local or state	Physical/mental illness, injury or condition Safe time: yes	1 hour for every 40 hours worked	Does not specify other than to say an employer may require an	At start of employment (or if already employed at ordinance's	After 180 calendar days of employment	24 hours/year	Compliance can be achieved if an employer offers PTO sufficient to meet or exceed accrual requirement of ordinance	Yes up to yearly caps

Comparison of City Paid Sick Time in US in relation to WPG Policy Decision Outline

Jurisdiction	Passage	Effective	Scope: covered employers	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self? (registres)	Usage: what can it be used for (both employee and family members)	Usage: how counted (accrual rate)	Usage: documentation	Usage: accrual start (effective date)	Usage: when able to access	Usage: cap on hours	Usage: relationship to PTO	Accrual: carryover	
			governments and single person businesses	<ul style="list-style-type: none"> • Students • Independent Contractors • Govt. employees 				employee comply with the employer's usual and customary note requirements	Though not required, employer may allow for "front loading" in advance of accrual					