Possible Recommendations on Policy Elements for Minneapolis Paid Sick Leave - DRAFT - 2-25-16

	Scope: Covered Employers	Scope: Covered Employees (hours threshold)	Usage: Used Beyond Self?	Usage: What Can it be Used For?	Usage: Documentation	Usage: Increments	Usage: How Counted (accrual rate)	Usage: Accrual Start	Usage: When Able to Access	Usage: Annual Cap on Hours	Accrual: Total Carryover	Usage: Relationship to PTO
Minneapolis!	Employers with employees working in the City of Minneapolis at least 80 hours in a year (regardless of employer location) shall provide paid sick time. We recommend the following small employer accommodations: • *Micro-employer compliance standard.* Employees of "micro" employers (3 or fewer employees) shall have access to protections against retaliation but provision of paid sick time is at the employer's discretion, • *Delay in penalties for small employers.* Small employers (with fewer than 24 employees) shall have an additional 6-12 months before penalties can be assessed. (Employees are covered under the ordinance during this time and remedies must be made available to employees, but penalties may not be assessed.) • *Delay in penalties for "new/startup" employers*. Employers that are within the first 12 months of operation shall not have penalties assessed. (Employees are covered during this time and remedies must be made available to employees, but penalties may not be assessed.) • Creation of an Office for Small Business in Minneapolis that would	Individuals working in the City of Minneapolis (regardless of where your employer is located) at least 80 hours in a year for a given employer, shall have access to paid sick time. Exempt and non-exempt employees. Exempt employees are considered to work 40 hours a week for purposes of accrual, unless there is evidence that they work less than that.	Employees may use paid sick time for themselves or for members of their extended families and households (as defined in City of Minneapolis civil code and MN State Statute 181.9413).	Employees may use paid sick time for mental and physical illness or incident, injuries, health conditions, diagnostic and preventive care, school closures due to public health or other emergencies.	Employers may request documentation of illness/absence from an employee if there is a clear pattern of abuse.	Employees may use paid sick time in increments consistent with current business practices, as defined by industry standards or existing employer policy.	Employees accrue sick time at the rate of one hour earned for every 30 hours worked.	Employees will begin earning accrued sick time at the start of employment.	Employees will able to access earned hours after a provisional period, consistent with employer practice, and no longer than 90 days.	We recommend an annual cap on accrued time at 48 hours.	We recommend a cap of 80 hours on total accrual.	Any employer with a paid leave policy (such as a paid time off policy or a paid leave policy within a CBA) that provides an amount of paid leave sufficient to meet the total annual accrual requirements of this policy that may be used for the same purposes as paid sick time in this law, is not required to provide additional paid sick time. Existing sick time and/or paid time off (PTO) policies will be considered in compliance with City policy if they meet minimum standards established by the City. Employers may voluntarily present existing policies for review; or, may be asked for review upon receipt of an inquiry or complaint. *More detailed language from Philadelphia: "Any employer with a paid leave policy, who makes available an amount of paid leave (including but not limited to vacation days, sick days, short-term disability benefits, floating holidays, parental leave, personal days, or PTO), sufficient to meet or exceed the accrual requirements of this Section, and that may be*

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	foster the growth of small businesses in Minneapolis by providing support in navigation of City processes.											*used for the same purposes and under the same conditions as sick time under this Chapter, is not required to provide additional sick time."*

Compliance/Monitoring/Enforcement

	Enforced By	Compliance: Outreach/Education	Compliance: Complaint vs. Proactive	Compliance: Protections	Staff	Notice & Recordkeeping	Private Right of Action	Implementation Notes
Minneapolis!	We recommend that the City pursue and support a partnership approach with employer and employee representation to shape goals for sick time coverage and encouragement for adoption of established policies. The City's own compliance effort will complement this partnership by establishing financial penalties and/or sanctions consistent with City practice for those who fail to comply with the policy after a period of time to be determined by Council.	We recommend that the City plan for a broad education effort, with resources dedicated appropriately, for community-based and business partners to help deliver accurate and easy-to-understand information about rights and responsibilities related to this policy change. Efforts should be community- and language-specific, ensuring reach to smaller businesses and affected employees, where impact is expected to be most significant.	We recommend that the City establish a point of contact for which employers and employees can ask for review of policies/actions; and, allow for voluntary review by City staff of existing policies.	We recommend that employees are protected from retaliation in any form *[per the definition of retaliation provided in City code or per language provided]*. We also recommend that employers maintain the ability to take disciplinary action if there is a clear pattern of abuse.	Silent	Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in English and primary language of the employee provided the department has made available the notice in that language. Record keeping: Employer must maintain records for 2 years, unless otherwise required by required by law or regulation.	Silent	We recommend that the City of Minneapolis commit resources to ensure an annual outcome evaluation and report to the community on implementation of this policy for at least the first three years of implementation.