

Paid Sick Leave Frequently Asked Questions



Multnomah County

In June 2015 the Oregon legislature passed a statewide sick leave law that provides paid sick leave to qualified employees in the state of Oregon. Paid sick leave provides job protection for employees to care for themselves or a qualifying family member's physical or mental illness, injury, medical condition, preventative health appointments and some public health emergencies. The County has updated the sick leave policy to incorporate the new provisions of the statewide law to ensure that our program is compliant with the new sick leave law. A copy of the new policy can be found by clicking [here](#). Below is a list of frequently asked questions to assist you with understanding the rules and policy.

Frequently Asked Questions

1. How does the new County Sick Leave policy and Oregon Paid Sick Leave law affect me?

If you already earn paid sick leave, your current accrual rate and maximum sick leave accruals are more generous than this law and will not change. In general, your sick leave benefits are essentially unchanged with only one new provision, reinstatement rights, applying to your current benefits.

If you have not been eligible to earn sick leave, you will begin accruing sick leave January 1, 2016. This includes all employees that are on the County payroll system, including on-call, temporary, student employees, etc.

2. When does the new sick leave policy take effect?

The new policy goes into effect on January 1, 2016, the date the statewide sick leave law goes into effect.

3. Who is covered by the County's sick leave policy?

The new County sick leave policy applies to all employees who are in the County payroll system, including temporary and on-call employees. Employees who are covered by and receive sick leave benefits through a Collective Bargaining

Agreement (CBA) will be provided the sick leave benefits under their respective CBA.

4. When do I begin accruing sick leave?

Regular status and limited duration represented and non-represented employees currently accrue sick leave from their date of hire. Employees who become eligible for sick leave benefits on January 1, 2016, will begin accruing sick leave as of January 1, 2016, including on-call and temporary employees. Going forward all employees will accrue sick leave beginning on their date of hire.

5. How much sick leave can I earn?

Sick leave accruals are based on your Fair Labor Standards Act (FLSA) designation. There are two FLSA designations: non-exempt and exempt. The first designation is non-exempt which means you are eligible and paid for any overtime you work.

The second designation is exempt which means you are not eligible for overtime pay. Based on FLSA status employees will earn sick leave in the following manner:

- Non-exempt employees will earn 0.0461 hours of sick leave for every straight time hour worked. For example, an employee working 25 hours in a pay period will accrue 1.15 hours of sick leave.
- Full time exempt employees will earn 4 hours of paid sick leave for each pay period; part-time exempt employees will earn a pro-rated amount of sick leave. For example, an exempt employee working .5 FTE will earn 2 hours of sick leave per pay period.
- There is no maximum amount of sick leave an employee can accrue in a year.

6. Is sick leave paid or unpaid?

The County policy provides paid sick leave for all earned paid sick leave hours. Paid sick leave can be used for qualified sick leave absences only.

7. How will I know how much sick leave I have accrued or used?

Employee sick leave balances, including accrual, usage and balance information will be printed on employee pay stubs at the end of each pay period.

8. What can sick leave be used for?

If you have earned sick leave, you can use it for your own health or to care for a member of the employee's immediate household for the following non-occupational conditions:

- Mental or physical illness, injury, or health condition; need for medical diagnosis, care or treatment of a mental or physical illness injury or health condition; or time off needed for preventative care; or
- Medical, dental or employee assistance program appointments; or
- Any qualified condition under Family Medical Leave, as defined by state or federal law, regardless of whether the employee meets statutory eligibility requirements; or
- For any qualified purpose allowed under Oregon's domestic violence, harassment, sexual assault, or stalking law; or
- Quarantine based on non-job related exposure to contagious disease; or
- In the event of a public health emergency, including upon an order of a general or specific public health emergency.

9. How do I request/use my accrued sick leave?

If an employee has a qualified sick leave absence they are required to follow their CBA and/or regular call in procedures for requesting or notifying their immediate supervisor of the need to utilize sick leave. If you need clarification regarding call in procedures please speak with your supervisor or, if applicable, refer to your collective bargaining agreement.

10. How much sick leave am I required to use if I have a qualified absence?

Non-exempt employees are allowed to use sick leave in ¼ hour increments. Exempt employees are required to use sick leave for full day absences only.

11. I am an On-Call employee, when can I use sick leave?

An On-Call employee is entitled to use sick leave for shifts that have already been scheduled. Employees not scheduled to work an assigned shift may not use sick leave for not-yet-scheduled shifts (e.g., at the time an On-Call employee is called and asked whether he or she wants to accept a shift). \

12. What happens if I don't have enough sick leave and I have a qualifying absence?

After earned sick leave balances have been exhausted, employees can use additional accrued paid leave to cover the absence. If there is no additional accrued paid leave available, the employee can request for unpaid sick leave, subject to manager approval.

13. Is a health care professional's note required to take sick leave?

Only in some cases. If you are absent for more than three consecutive scheduled days, the County can require a note from a licensed health care provider before any paid or unpaid sick leave is approved. If medical certification is requested, the County would be required to pay the costs associated with procuring the note.

14. Does unused sick leave roll over from year to year?

Unused, accrued sick leave will roll over year to year. There is no maximum accrual limit on paid sick leave.

15. Is unused sick leave paid out upon termination?

Unused or accrued sick leave will not be paid out to an employee upon termination, resignation, or other separation from employment. Sick leave can only be used for qualifying absences.

16. If I leave County employment and I am rehired what happens to my sick leave?

Unused or accrued sick leave will not be paid out to an employee upon termination, resignation, or other separation from employment. If an employee leaves County service and is subsequently rehired reinstatement of sick leave balances will be as follows:

- Any employee who leaves County employment and is subsequently re-employed as a regular status employee within 180 days is entitled to credit for all sick leave accrued up to the last day of prior employment. Sick leave shall not accrue during the period between leaving County employment and re-employment.
- Any employee who leaves County employment and is subsequently re-employed as a temporary or on-call status employee within 180 days is entitled to credit for sick leave accrued up to the last day of prior employment up to a maximum of 80 hours. Sick leave shall not accrue

during the period between leaving County employment and re-employment.

- Any employee who is re-employed or reinstated after more than 180 days is not entitled to credit for sick leave that accrued during prior County service. Sick leave will begin accruing anew in accordance with applicable accrual sections.
- Employees who are laid off and recalled from a recall list, will have their sick leave balance restored at the time they are recalled.
- Any employee who is re-employed after retirement is not entitled to credit for sick leave accrued during prior County service. Sick leave will begin accruing anew in accordance with applicable accrual sections.