



CA004

March 1, 2016

To: ODOT Area Managers, Project Managers and Local Agency Liaisons
From: Steve Cooley, PE; Construction Administration Engineer

Subject: Oregon Statewide Sick Time

The Oregon legislative assembly passed Senate Bill 454, requiring all employers provide sick time for their employees. The Bureau of Labor and Industries (BOLI) has issued the Sick Time administrative rule and has provided information on frequently asked questions.

Beginning January 1, 2016, all employers that employ at least 10 employees (6 in Portland) in Oregon must provide up to 40 hours of paid leave per year. Employers that employ fewer than 10 employees (6 in Portland) must provide 40 hours of unpaid protected sick time. A “year” includes any consecutive 12-month period, such as a calendar year, a tax year, a fiscal year, a contract year, or the 12-month period beginning on the anniversary of the date of employment.

Employees accrue 1 hour of sick time for every 30 hours worked or 1 1/3 hours for every 40 hours worked. Employees are eligible for Oregon Sick Time on their 91st day of employment. An employer does not have to pay out accrued unused sick time when an employee leaves employment.

The Oregon Sick Time requirement has been an agenda item previously discussed in the ODOT Industry Leadership Team meeting. As with previous legislative mandated requirements, it is the Department’s position that it will not address the expanded sick leave ordinance and requirements through change orders to existing construction contracts. This expanded sick leave ordinance now becomes a requirement of doing business in Oregon.

Cc: Ric Miller, AGC - Highway Council Co-chair