

SUPPORT FOR SB 588

CBA/HIRING HALL WORKER SICK TIME

From the Desk of
Senator
James Ivory Manning Jr.

Senators,

Thank you for the time spent considering SB 588, which would repeal the exemption in Oregon's statewide sick time law that currently applies to workers covered by collective bargaining agreements (CBAs) and who are employed through hiring halls and receive benefits through multiemployer plans. This provision mainly, but not exclusively, affects construction workers whose employment encompasses these criteria.

Today, just 58% of the U.S. construction industry has access to some form of sick leave, one of the lowest rates for any sector.¹ This lack of access to basic earned sick time protections for this essential workforce has become a more intensified safety and health concern amidst the COVID-19 pandemic, as **workers without paid time off are shown to be 1.5 times more likely to report going to work with a contagious illness.**² Alarming, a construction worker without paid sick leave is also 21% more likely to experience a non-fatal jobsite injury than one with paid sick time.³ This carve out in the state sick time law is unsafe and unjust.

Senate Bill 588 is a common-sense solution that would ensure that workers are no longer excluded from accessing the same basic earned sick leave standards and employment protections that currently apply to most all sectors throughout our state today.

- **Eliminates exemption in or paid sick time law for hiring hall workers covered by CBAs**
 - *Repeals language in ORS 653.646 that precludes sick time minimum requirements from applying to employees:*
 - Whose terms and conditions are covered by a collective bargaining agreement; **and**
 - Who is employed through a hiring hall or similar referral system operated by a labor organization or third party; **and**
 - Whose employment-related benefits are provided by a joint multiemployer-employee trust or benefit plan.
- **Permits Administering sick time via multiemployer benefits plans or trusts**
 - Revises statute to allow the option for employers signatory to a multiemployer collective bargaining agreement and who employ workers through hiring halls to fulfill the earned sick time requirements by making contributions to a sick leave fund, plan or program based on employee hourly accruals, pursuant to the existing law.
- **All other provisions in sick time statute would now apply for CBA/Hiring Hall workers**
 - Employers with 10 or more employees (6 or above in Portland): must provide up to 40 hours job protected sick time/year; Accrue 1 hour for every 30 hours worked, able to be used for a range of covered reasons.
 - As statewide sick time requirements already currently cover non-union construction employers, this change does not create a substantially new program or wholly unfamiliar employment standard in the industry.

We respectfully request your aye vote.



¹ Pew Research Center. "As coronavirus spreads, which U.S. workers have paid sick leave—and which don't?". March 12, 2020. <https://www.pewresearch.org/fact-tank/2020/03/12/as-coronavirus-spreads-which-u-s-workers-have-paid-sick-leave-and-which-dont/>

² Smith, T. W., & Kim, J. (2010, June). Paid Sick Days: Attitudes and Experiences. National Opinion Research Center at the University of Chicago for the Public Welfare Foundation Publication

³ Asfaw, PhD, Pana-Cryan, PhD, and Rosa, PhD. (2012, Sept). Paid Sick Leave and Nonfatal Occupational Injuries. American Journal of Public Health.