

SB 1108 A STAFF MEASURE SUMMARY

House Committee On Labor and Workplace Standards

Prepared By: Erin Seiler, LPRO Analyst

Meeting Dates: 5/5, 5/12

WHAT THE MEASURE DOES:

The measure permits the use of earned statutory sick time for blood donation that is made in connection with a voluntary program that is approved or accredited by the American Association of Blood Banks or the American Red Cross.

Fiscal impact: Minimal fiscal impact

Revenue impact: No revenue impact

Senate vote: 28-0-1

ISSUES DISCUSSED:

- Need for blood donations
- Removing barriers to voluntary donation
- Ability use Oregon Sick Time for donation

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law provides employees with paid and unpaid protected leave for a variety of reasons. The Paid Leave Oregon program is contained in ORS chapter 657B and was enacted by the Legislative Assembly in 2019. This program allows eligible Oregon employees to take paid leave for specified family, medical, or safety-related reasons and requires employers with 25 or more employees to contribute to the program's fund. An employer may offer employees an equivalent plan approved by the Oregon Employment Department (OED) in lieu of participating in Paid Leave Oregon. Self-employed persons and independent contractors can elect to participate in the program.

The Oregon Family Leave Act (OFLA) applies to employers with 25 or more employees. OFLA permits employees to take protected, unpaid leave for several qualifying reasons, including sick child leave, pregnancy disability leave, and bereavement leave.

Oregon law also provides employees with leave for other reasons, such as military family leave, sick time, and leave to attend a criminal proceeding.

Employers in Oregon with at least 10 employees are required to have a sick time policy that permits an employee to accrue at least one hour of paid sick time for every 30 hours that the employee works, or 1-1/3 hours for every 40 hours that the employee works. Employees are permitted to cap accrued paid sick time at 40 hours per year. Oregon law requires employers with fewer than 10 employees to permit employees to accrue the same number of sick time hours a year as those employers with at least 10 employees, however this sick time is permitted to be unpaid. ORS 653.616 specifies when an employee may use earned sick time, such as to care for the employee's mental or physical illness, or to care for a family member with a mental or physical illness.