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## **KNOW YOUR RIGHTS: Oregon Paid Sick Time**

### **1) What does the Oregon Paid Sick Time law do?**

It gives workers up to 40 hours of sick time a year, which can be used:

- To recover from physical/mental illness or injury;
- To seek medical diagnosis, treatment, or preventative care;
- To care for a family member who is ill or needs medical diagnosis, treatment, or preventative care;
- To bond with a newborn, newly adopted child, or newly placed foster child under age 18;
- To deal with the death of a family member;
- When the worker's place of business is closed by order of a public official due to a public health emergency or to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency;
- When a public health official or health care provider determines that the worker or a family member presents a public health risk;
- When an employer is required to exclude the worker from the workplace under any law or rule for health reasons;
- To address certain non-medical needs that may arise if the worker or the worker's minor child or dependent are victims of domestic violence, a sexual offense, or stalking; or
- If the worker is not a first responder:
  - When the worker's place of business or home address is in an affected area subject to an emergency evacuation order of level 2 (SET) or 3 (GO) issued by a public official with the authority to do so; or
  - When a public official with the authority to do so determines that the air quality index or heat index are at a level where continued exposure to such levels would jeopardize the health of the worker.

Additionally, the Oregon Bureau of Labor and Industries released administrative [guidance](#) clarifying that sick time can also be used for certain COVID-19 related reasons, including self-quarantine.

***[Between September 16, 2020 and September 30, 2021, Oregon workers who needed to quarantine or isolate because of COVID-19 may have been eligible for payment pursuant to Oregon's COVID-19 Temporary Paid Leave Program.](#)***

### **2) Am I covered?**

If you work as an employee in Oregon, you are probably covered, whether you are a **full-time, part-time, or temporary** worker. However, the law does not cover federal employees,



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independent contractors, certain work study students, certain railroad workers, and individuals employed by their parent, spouse, or child.

### **3) How much sick time can I earn?**

You earn **1 hour** of sick time for **every 30 hours worked**, up to a maximum of **40 hours** per year. If your workplace has **10 or more workers** (or **6 or more workers** if you work in **Portland**), that time must be paid. If your workplace has **fewer than 10 workers**, your sick time may be unpaid—but you can't be fired or punished for taking it. Certain home care workers receive up to **40 hours** of paid time off, which can be used as sick time, per year.

All covered employees are protected against being fired or punished for using or requesting their sick time (including threats, discipline, demotion, reduction in hours, termination, etc.).

### **4) What if my work or my child's school or daycare is closed for a health emergency?**

You can also use your sick time if your place of business is closed by order of a public official due to a public health emergency or to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency.

### **5) Which of my family members are covered by the law?**

Under the law, you can take sick time to care for yourself or a child, spouse, registered domestic partner, parent, parent of a spouse or registered domestic partner, grandchild, and grandparent.

### **6) What if I already have paid leave or paid time off?**

If you already get any paid leave (vacation, paid time off, etc.) that you can use as sick time *and* it's **at least** the same amount you would earn under this law, the law does **not** give you any additional paid time off.

### **7) When can I begin using my sick time?**

You start earning sick time immediately but cannot use it until 91 days after the start of your employment.

### **8) Do I need a doctor's note?**

Only after more than 3 consecutive days of absence (and the note does not have to specify your illness).

*The Oregon Bureau of Labor and Industries is in charge of enforcing this law.*



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**All covered workers are protected against being fired or punished for using or requesting sick or safe time.** If you have a problem—or want more information—call A Better Balance’s free legal clinic at **1-833-NEED-ABB**.

*Please note that this fact sheet does not represent an exhaustive overview of the paid sick time law described, and it does not constitute legal advice. It is possible that additional provisions not described in this fact sheet may apply to a worker’s specific circumstances or category of employment.*