



FINDINGS & RECOMMENDATIONS

WORKPLACE REGULATIONS PARTNERSHIP GROUP

**Presented to the Committee of the Whole
March 2016**

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Additional information, including all meeting materials, minutes, and research findings can be found at: www.minneapolis.gov/workplacepartnership

I. BACKGROUND, PROCESS OUTLINE, AND FINDINGS

Mayor Betsy Hodges and the Minneapolis City Council established the Workplace Regulations Partnership Group [referred to going forward as the Workplace Partnership Group (WPG)] on October 28, 2015. Their charge was to:

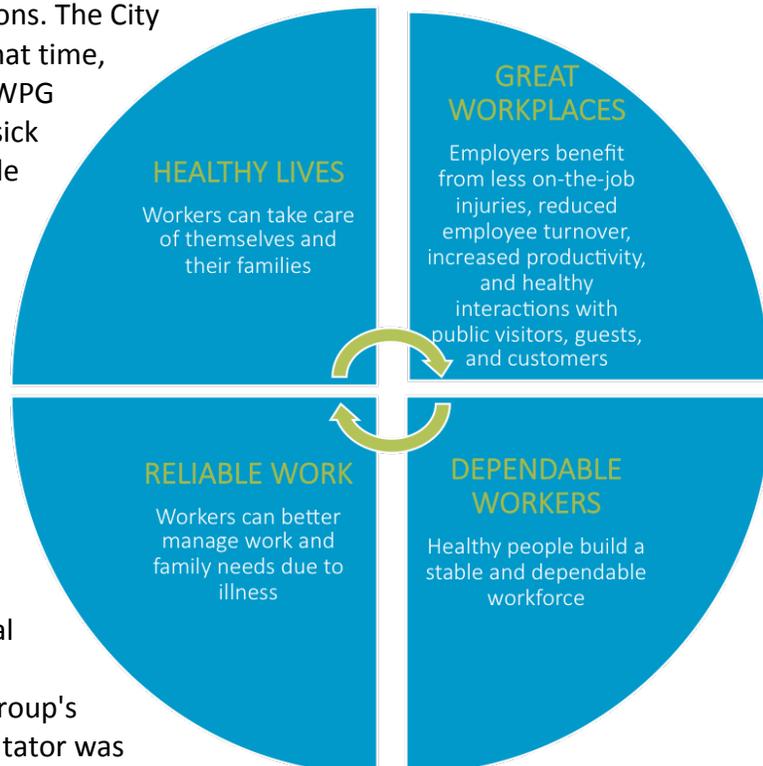
“study the impact of policy proposals related to workplace regulations on earned sick time and paid time off, including regional and cross-jurisdictional implications of such policy proposals. The Partnership Group is to engage the community in the development of its recommended policy proposals through focus groups, listening sessions, and similar practices and may consult subject-matter experts in the course of its study. The Partnership Group is to report its final policy proposals on earned sick time and paid time off to the Committee of the Whole by no later than February 24, 2016.”

At the request of the WPG, the deadline was extended to March 16, 2016.

A. Background

The WPG grew out of a prior effort by Mayor Hodges in 2015 to consider a collection of policy proposals that included the provision of paid sick time, among other policy considerations. The City Council did not take action at that time, but rather opted to create the WPG to specifically consider earned sick time and paid time off as a single policy proposal.

Following establishment of the WPG, Mayor Hodges, City Council President Barbara Johnson, and members of the City Council, made appointments to the group that were approved on November 20, 2015. The City Council also directed City staff to provide support and technical assistance for the WPG, and establish a framework for the group's meetings. An independent facilitator was retained to support City staff in this role. The WPG held an orientation session on December 3, 2015, and its first of eleven business meetings was held December 11, 2015.



B. Process

At the orientation session and subsequent business meeting, the group organized itself procedurally, established an expected timeline, and began outlining expectations for engaging community members and stakeholders as vigorously as possible during the timeframe that had been provided.

1. Leadership

At its first business meeting, the group elected Liz Doyle & Jim Rowader as Chair and Vice-Chair of the group. Sarah Webster Norton was later tasked with leading a subgroup to organize listening sessions across multiple constituencies and interest groups.

2. Decisionmaking

WPG members agreed at the outset to pursue a consensus-based model of deliberation, reserving majority voting for decision-making on the actual policy recommendations. A scale of consensus decision-making, operating principles, and rules were adopted at the first business meeting. Members began their work with a shared understanding that delivering recommendations to the City Council having reached broad agreement on key elements was preferred to delivering a report with recommendations on which there was significant disagreement.

3. Workplan & Timeline

WPG members affirmed early on that they needed to reach several constituent groups for perspectives on policy options, and that the intention was to create listening sessions in which perspectives from employers and workers were offered jointly, in dialogue with each other. With that in mind, a subgroup was established to identify the employee, employer, and industry groups who might likely be most affected by such a policy change, and to reach individual racial/ethnic communities for their perspectives to ensure that the racial equity elements of this policy were carefully considered. WPG members agreed to work diligently through December and January to ensure that these perspectives were heard, with the expectation that the group would conclude its listening by the end of January and focus the remainder of its time crafting policy recommendations for City Council. A standardized list of questions was developed for each of the listening sessions and a “Frequently Asked Questions” handout was drafted (and translated) to address common questions already being asked of WPG members and addressed in comments to the group.

WPG members asked staff early on to answer basic questions that had been asked at the orientation session regarding the Minneapolis and regional workplace landscape. Staff was also asked to research further the results and implementation issues identifiable from peer jurisdictions around the country who had already adopted similar policies.

4. Community Engagement

From the start, the WPG and staff focused on creating a robust community engagement plan to ensure the group heard a varied and representative cross-section of our community. Primarily focused on listening sessions, the WPG also solicited input from comment cards received both at the listening sessions and electronically through a link provided on the WPG website.

In all, the WPG hosted fourteen (14) listening sessions over about a month's time, heard from approximately 550 individuals and received written comments from twenty-seven (27) individuals. The sessions reached a broad range of employment sectors, community groups, and other constituencies including representatives from:

- Construction and manufacturing
- Retail
- Franchise restaurants
- Independent & small employers
- Health care organizations
- Downtown employers across multiple sectors
- Professional services firms
- Service workers
- Union employees
- Nonprofit & social sector organizations; and,
- Individuals from the Latino, Hmong, African-American, Native American & East-African/Somali Communities.

Additionally, two “general” public listening sessions were held in North and South Minneapolis locations. A high-level summary of those sessions, including detail on the focus of each session and comments received, is provided in the Appendix.

C. Findings

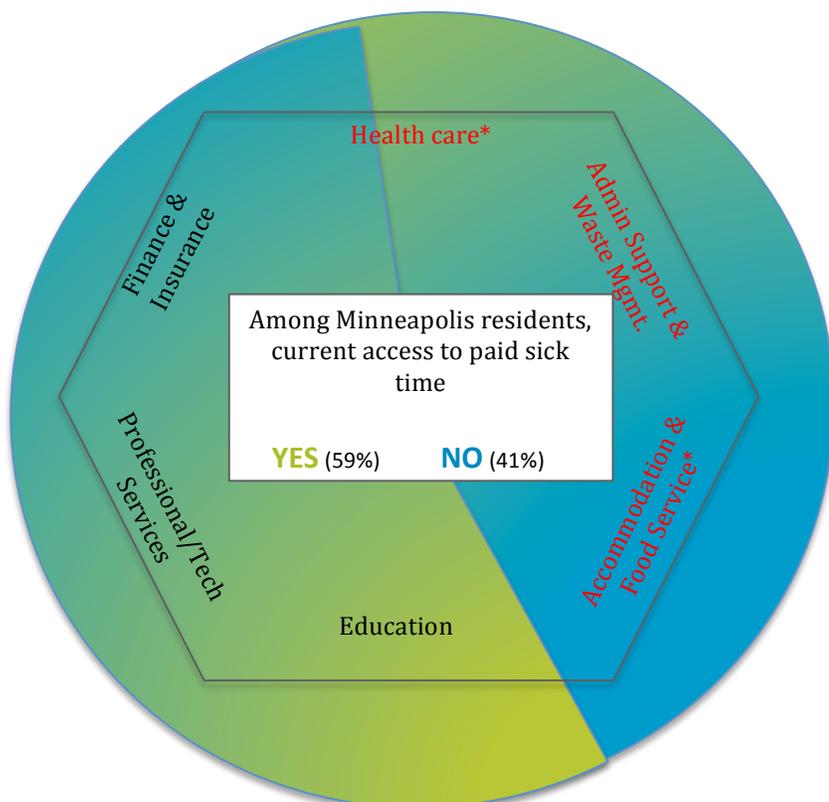
WPG members were provided some basic information about the Minneapolis and regional workplace landscape at their orientation meeting. This generated additional questions, and answers to those questions were shared at later business meetings in January and February 2016. A summary of research questions can be found in the Appendix and all information provided to the WPG from staff can also be found on the WPG website.

1. Research Points

Key research points that informed the group's work included these findings:

- There are just over 300,000 individuals working in the City of Minneapolis of whom about 25% are residents of the City of Minneapolis. The remaining 75% come to work in the City from other jurisdictions.ⁱ
- Among all employees in Minneapolis, just over 52,000 (about 17%) are working in “healthcare & social assistance” fields, with the next largest group, 32,911 (about 11%), working in “professional/technical services” fields.ⁱⁱ
- Employment in positions with larger public health exposure and greater risk of spreading infection, covers about 35% of the Minneapolis employment landscape in three fields: healthcare (17%); education (11%); and food service & accommodation (6%)ⁱⁱⁱ.
- Estimates suggest that between one-third and one-half of Minneapolis residents do not have access to paid sick time, with those residents more likely to be women, people of color, and concentrated among lower-wage earners, working less than full-time.^{iv}
- Labor market data helps us identify the racial/ethnic impacts. Within Minneapolis:

- Black residents are employed at much higher rates in the healthcare industry.
 - Latino residents have proportionately high employment in the accommodation & food services as well as administrative & waste management industries.
- The same industry groups noted above have significant numbers of low-wage earners. Among Minneapolis employees working in each of these fields, following are the percentages earning less than \$1250/month:
 - Healthcare (19% of employees)
 - Accommodation & food services (42% of employees)
 - Administrative & waste management industries (35% of employees).
 - Retail makes up the next largest segment of low-wage earners. (30% of employees)^v
- Anecdotal information from listening sessions, comments received, and identified in other jurisdictions' research suggests that smaller employers are less likely to offer paid sick time to their employees.^{vi} Within Minneapolis, construction (37%), retail (25%), and service industries (37%) employ the most number of people in firms of less than 20 employees.^{vii}
- Minneapolis has a relatively smaller share of jobs within the metro region (less than 12%) than compared to other regions that have passed similar policies (e.g., NYC with more than 40% of regional jobs within New York City and Seattle with more than 20% of metro employment within the City of Seattle).^{viii}
- At this time, research on cities with comparable ordinances suggests modest public health improvement and a reduction in 'presenteeism' (coming to work sick). This lack of research is due, in part, to the fact that many jurisdictions adopting sick time policies have done so relatively recently and there have only been a few post-implementation studies performed.



Among the six largest sectors of employment in Minneapolis, **three** also have the largest segments of employees earning less than \$1249 per month, with high concentrations of employees of color, many working less than full-time, and with no access to paid sick time. Two of those three (marked with an *) are also at higher risk for adverse public health impact. *Detail in bullets above.*

2. Listening Session Themes

The following key themes were repeated during WPG members' deliberations (additional detail is in the Appendices):

- **Lack of coverage or inconsistent/insufficient coverage:** WPG members heard from many employees who simply have no access to paid sick time. As one commenter said “[t]he provision of a policy like this is essential for low-wage employees now lacking paid sick time off, for whom the question often comes down to: do I work, or do I eat?” For many Minneapolis employees, this is an all-too-frequent choice. WPG members also learned that among many (particularly smaller) employers, paid sick time may not be provided formally, although many employers encourage employees to take time off if they are sick, with the possibility that such time may be fully or partially paid.

Employees noted that informal allowances for their own illness typically do not extend to caring for children and other family members. In such cases, the time available (formal or informal) is often insufficient. The sentiment often expressed was that employees *may* have access to such time and it *may* be paid; however, there is wide discretion exercised by business owners, managers, and supervisors (based on the employer model) that results in unpredictable, unreliable, and uneven treatment of employees.

- **Fear of retaliation:** Many employees of color (particularly in lower-wage, part-time positions) articulated their hesitation to take time off if sick (even unpaid) for fear that an absence would risk loss of job or other retaliatory responses (lowered hours, less desirable shifts, and other forms of intimidation).
- **Ensuring the ordinance considers existing arrangements:** While the City Council has identified the lack of paid sick time as a problem to be solved, WPG members did hear from many employers and employees who have access to paid sick time. Several (larger) employers with established and generous paid time off policies, some of which are provided through a collective bargaining agreement, asked that a City policy not upset existing arrangements in which the benefit being considered by this policy appears to be substantially provided already.
- **Desire for broader geographic approach:** While there was strong appreciation among listening session attendees for the public health risks and economic difficulties faced by employees with no access to paid sick time, there was strong sentiment among many employers that the City of Minneapolis was ‘overreaching’ by pursuing this policy path at the municipal level. Minneapolis is at the center of an inter-connected regional economy where there is a highly mobile workforce (again, 75% of employees in Minneapolis come from neighboring cities and counties). This raises concerns about the possible negative economic impact of Minneapolis having a different (and presumably higher) cost of doing business. Many expressed an interest in seeing such a policy implemented regionally or statewide solution, to minimize the ‘island effect’ of the City of Minneapolis pursuing this in isolation of its neighboring jurisdictions.

- **Administratively burdensome:** Employers articulated significant concern about the administrative burdens of having to track time differently from what they were currently doing. Examples included:
 - Tracking time where it is not currently tracked;
 - Separately tracking ‘sick’ time where paid time off policies currently bundled benefits; and,
 - The particular burden of tracking time for employers with employees in multiple locations, and figuring out when and for how long an employee is working within the City of Minneapolis.

- **Private payment for public good:** Employers expressed concern that while they acknowledge the legitimate public health and racial equity issues raised, they question why the financial burden for addressing those public problems should be covered by their private employers.

- **Adverse economic impacts:** Employers and employees noted that the implementation of a policy has potential for significant adverse impacts. For employers, the direct additional payroll cost, administrative expense, and potential longer-term payroll liabilities represent real expenses that diminish the net profit of an enterprise. For employees, the cost and privacy considerations related to providing any required documentation of illness – as well as the potential for retaliation in the usage of paid time – could undermine the value of the benefit itself.

II. POLICY RECOMMENDATIONS

After carefully considering the findings heard, the research received from staff, and the discussion points that arose in the business meetings amongst the group, WPG members put forward the following recommendations to be considered in the City of Minneapolis’ policy for sick time.

A. Scope

The WPG recommends that the sick time policy cover the following employers and employees as defined below:

1. Employers: all employers with covered employees (as defined below) working in the City of Minneapolis regardless of employer location.
2. Employees: individuals including exempt and non-exempt employees, working on a full-time or part-time basis in the City of Minneapolis for at least 80 hours in a year for a given employer (as defined above), other than the owner(s), will be considered “covered employees” for purposes of this policy.^{ix}
3. Accommodations should be made for small employers defined as follows:
 - a. *Micro-employers:* employees of “micro-employers” (one to three covered employees) should have access to protections against retaliation for taking sick time when needed, but the mandated provision of paid sick time should be at the employer’s discretion.
 - b. *Small employers:* small employers (defined as 24 or fewer covered employees) should have an additional 6 months to implement the policy, after the overall effective date of implementation for all other employers.

Rationale: One of the first challenges the WPG faced was thinking about the scope of the policy. Recognizing that residents, employees, visitors, and others all share the public health risks in the City, the WPG affirmed that their intention was to address health concerns for all those in Minneapolis. This tradeoff allows the policy to *include* the 75,000 Minneapolis residents who work within the City of Minneapolis, as well as the 225,000 employees in the City who are *not* City residents, and will not directly impact the 297,000 working age Minneapolis residents who currently work outside the City of Minneapolis. While the WPG acknowledges the implementation challenge of identifying employees working *within* the City of Minneapolis for at least 80 hours annually, that approach was deemed preferable to creating a disincentive by focusing on employers *located* in Minneapolis. The WPG heard extensively from employees working in hospitality, food service, housekeeping, security, and other positions with low rates of access to paid sick time that while their employers may be physically located elsewhere, their work is (and will likely remain within) the City of Minneapolis.

“These [small] businesses need time to shift their business practices, pricing structures, sales levels and expenses to absorb these costs and remain viable.” – public comment received

With regard to smaller employers, WPG members have been keenly aware of the unique challenges that smaller employers may face in implementing a paid sick policy. These challenges include the need for some employers to create new tracking systems, as well as the difficulty that micro-employers in particular may face in finding individuals to cover shifts. Recognizing these unique circumstances, agreement was reached to give added flexibility to micro-employers and give smaller employers additional time to comply. There was also discussion about creating additional accommodations for new businesses on an ongoing basis. Specifically, members considered the possibility that startups/new employers be given a "grace period" prior to being subject to this policy. With concern about creating a potential loophole in implementation, the WPG declined to advance that recommendation.

WPG members generally preferred broad coverage with some accommodations versus more narrow coverage and outright “exclusions.” To that end, the choice to draw the threshold at employees working 80 hours in a year for a single employer was a balance between other jurisdictions that aim to cover *all* workers with some outright exclusions and other jurisdictions with a much higher threshold, but fewer exclusions or accommodations. Some members also noted that particular industries make greater use of casual work arrangements where some employees only work when they say that they are available and are not obligated to work if they are not available. The WPG’s intention is that Council’s action engages most employers and employees in Minneapolis to be in compliance, without offering blanket “exemptions”. That said, Members acknowledge that there will be some challenge in considering how casual employees and others with unique employment arrangements should be treated under this policy. The WPG recommends that the City give particular consideration during implementation to accommodate these other-than-typical arrangements beyond what has been recommended here.

B. Usage

The WPG recommends the following relating to how sick time may be used:

1. Employees may use paid sick time for themselves or for members of their extended families and household. The WPG was in favor of using the City of Minneapolis' definition for "family member" as defined in its Civil Service Rules (Rule 18).
2. Employees may use paid sick time for mental and physical illness or incident, injuries, health conditions, diagnostic preventive care, and public health emergencies. The WPG was in favor of also including the use of sick time for safety leave as defined in Minnesota Statute 181.9413^x
3. Employers may request documentation of illness/absence from an employee if there is a clear pattern of abuse, while maintaining standards for employee privacy and disclosure protections.
4. Employees may use paid sick time in increments consistent with current business/payroll practices, as defined by industry standards or existing employer policy.
5. Employees begin to earn paid sick time at commencement of employment. Employees are able to access earned hours after a provisional period, consistent with employer practice, and no longer than 90 days.
6. Existing time-off policies (such as paid time-off (PTO) plans) should be considered in compliance with a City policy if they meet minimum standards established by the City.^{xi} Minimum standards should be deemed as met if the policy allows an employee to a) access and utilize compensated leave at the same rate and amounts, or greater, than the hours of leave provided in the City's policy and b) allow the employee to use the compensated leave for the same purposes as the usage requirements set forth in the City's policy. Employers may voluntarily present existing policies for review or they may be compelled to produce the same for review as part of a City action.

Rationale: The WPG's overarching intention here is to balance a desire to affirm & support employers who already offer paid sick leave sufficient to meet or exceed the emerging standard, and to guard against abuses by employers and employees at the extremes. As one listening session attendee noted, "[y]ou can't always legislate good management or good worker behavior." To that end, the WPG sees value in placing some safeguards against misuse of this policy through the language recommended above.

The WPG heard specifically from the Hmong, Somali, and Native American communities that broad definition of extended family/household would be very helpful to them in meeting expectations for tending to family and others within their communities during times of illness. The WPG also heard compelling stories of workers suffering from domestic violence situations and being unable to seek medical or other supportive/legal assistance for lack of available time off from work. For this reason, the WPG supports adopting the current City of Minneapolis standards outlined in the Civil Service Rules, which expressly adopt the Minnesota statute relating to safety leave.

C. Accrual Mechanism

With regard to the accrual mechanism, the WPG recommends the following:

1. Covered employees should accrue sick time at the rate of 1 hour earned for every 30 hours worked.
2. Exempt (salaried) employees are considered to work 40 hours per week for purposes of accrual, unless there is evidence that they regularly work less than 40 hours per week.
3. Covered employees should begin earning accrued sick time at the start of employment.
4. Employers should be allowed to place an annual cap on accrual at 48 hours of accrued time.
5. Covered employees shall be allowed to carryover accrued, unused time up to a total of 80 hours of accrued time (i.e., the employee can “bank” up to 80 hours). Employers are not required to pay out unused time upon termination of employment.

Rationale: The WPG affirmed early on that, indeed, sick time should be *earned* through an accrual mechanism, and there was general agreement that the benefit should accrue at the start of employment with actual usage delayed by a typical ‘provisional period.’ This delay also addressed concerns about usage for short-duration employment (e.g., seasonal work).

The accrual rate recommended here is an emerging standard based on other jurisdictions around the country. The annual accrual cap and the total accrual cap represent a compromise position reached by the WPG to allow employees access to roughly 6 days of sick time annually and the ability to carry up to 10 days over time. The challenge here is to craft a policy that allows enough sick time to be meaningful for employees, appropriately responsive to public health guidance and not overly burdensome to employers with a longer-term liability for sick time earned, but not yet used.

Another consideration is the effect on accrual of employees who transfer within a given employer or are rehired by the same employer after a leave of absence, as well as employer succession in cases where the employer changes but the employees do not.

D. Monitoring, Enforcement, & Implementation

The WPG recommends the City of Minneapolis consider the following:

1. The City should plan for a broad education effort, with resources dedicated appropriately, for community-based organizations and employer associations to help deliver accurate and easy-to-understand information about rights and responsibilities related to this policy change. Efforts should be community and language-specific, ensuring particular outreach to smaller employers and affected employees, where impact is expected to be most significant.
2. The City should establish a point of contact for which employers and employees can ask for review of policies/actions, including the voluntary review by City staff of existing paid time off policies.
3. The City’s policy should explicitly state that employees are protected from retaliation in any form when exercising rights provided under this policy. The WPG also recommends that employers maintain the ability to take disciplinary action if there is a clear pattern of abuse.
4. The City’s policy should require employers to display a poster (to be prepared by the City of Minneapolis) in a spot conspicuous and accessible to all employees in English and other languages, per the City of Minneapolis’ accepted practices regarding language access.

5. The City’s policy should require that employers provide written notice at time of hire, or if already employed, as soon as possible, in English and primary language of the employee provided the department has made available the notice in that language.
6. Employers must maintain relevant records consistent with current practice for two (2) full calendar years, unless otherwise required by law or regulation.
7. The WPG also recommends that the City of Minneapolis commit resources to ensure an annual outcome evaluation and report to the community on implementation of this policy for at least the first three years of implementation.
8. The City should pursue and support a partnership approach with a standing commission including employer, employee, and community representation to assist in monitoring and improving this policy, shaping goals for sick time coverage, and encouraging adoption of policies more generous than the minimum requirements of an ordinance, which may include a system of employer recognition.
9. The City’s own compliance effort will complement this partnership by maintaining practices consistent with those of the Department of Civil Rights and a range of compliance-focused remedies, including individual relief for aggrieved employees and the imposition of economic penalties/license sanctions consistent with the City practice for those who fail to comply with the policy after implementation dates to be determined by Council.
10. To support compliance with the ordinance, the City should prohibit City licensees from contracting for services where the licensee has actual knowledge that the contractor has failed to comply with this earned sick time ordinance. For purposes of this section, “actual knowledge” means information obtained by the licensee’s management that the contractor has been cited by the City within the past 12 months for noncompliance with this earned sick time ordinance and has failed to present the licensee’s management with credible evidence that such noncompliance has been cured going forward.^{xii}
11. Enactment of the policy should be at least six months following passage of the ordinance by Council.

“[Minneapolis] is a great, progressive city and ensuring that people can take time off of work when they are ill is essential to the city’s well being” – public comment received

Rationale: A major point of deliberation among WPG members was the enforcement approach to this policy. Some WPG members advanced an alternative proposal that this policy be entirely voluntary, with incentives to employers for meeting the minimum (or exceeding) standard set by this policy. Examples of such incentives included recognition among business peers. While there was strong appreciation for this approach, WPG members heard from many perspectives that with no mandate or enforcement, it would be difficult to improve upon current practice and actively address the public health and access concerns expressed by so many employees and employers alike. A more complete explanation of that approach has been prepared by WPG member Steve Cramer and is being circulated separately.

The WPG had extensive discussion about the “tone” of implementation after a policy is established. In its deliberation and communication about a paid sick time policy, the City should take care to provide assurance to employers large and small that are in compliance, that the City’s implementation and enforcement approach will respect existing good practice. How this is conveyed in subsequent communication is a nuance that is best left to City leaders to shape in the implementation phase.

E. Supplemental Recommendations

During the WPG's deliberations, members identified several additional recommendations that we ask the City of Minneapolis consider:

1. WPG members heard a good deal from smaller employers about the difficulties of operating a small business or firm in Minneapolis and there was concern that this policy would add an additional layer of difficulty. The WPG wants to ensure that the City of Minneapolis continue to foster economic growth and innovation. To that end, members recommend the City of Minneapolis explore and pursue the creation of a staffed Office for Small Business in Minneapolis that would foster the growth of small employers in Minneapolis by providing support in the navigation of City processes. This may include gathering existing programs and staff supports into a single point of contact for small businesses; providing additional written guidance and communications to small businesses about City processes; and/or, providing new resources (to the extent feasible) to support and incent the growth of small and independent businesses in Minneapolis.
2. The WPG also heard the broad sentiment that this policy is also addressing a larger set of issues related to poverty, racial equity, and business competitiveness. There was interest in a broader approach in which the City of Minneapolis would explore over the longer-term a payroll tax fund that would pay (in full or in part) sick time for all workers in Minneapolis. The WPG recognizes that this is a longer-term exploration that would ultimately require state legislative approval.
3. While beyond the scope of this group's initial charge, the WPG also heard from community a need to explore and encourage bereavement policies that include culturally appropriate practices and recognition of extended family and community relationships.
4. The WPG heard significant concern from some nonprofit employers that rely on government reimbursement for services. Particularly in areas such as long-term care, care for people with disabilities, and child care, services that are directly reimbursed by government are often done so at rates which do not increase when the cost of service increases, as would occur with providing increased sick time. The City of Minneapolis should advocate for increased state reimbursement rates for such services in order to offset the expected cost increase as a result of sick time.

III. CONCLUSION

The WPG quickly grew to appreciate the complexity of this issue, and has done its best to provide sound recommendations to the City Council for this process to move forward. There is wide agreement that employees with no access to paid sick time would likely benefit from such access and general acknowledgement that workplaces would likely benefit broadly by way of less turnover, improved morale, increased ability to recruit and retain talent, and increased health and safety within the jobsite. The WPG has sought in these recommendations to put forward a balanced approach that both provides access to paid sick time and minimizes the administrative burden of doing so.

We appreciate the City Council engaging the WPG to provide its recommendations, and strongly encourage the passage of a policy that reflects the deliberate and careful consideration of the WPG's recommendations.



This report passed by a majority vote of the Workplace Regulations Partnership Group and is presented to:

Minneapolis City Council
Committee of the Whole — The Hon. Elizabeth Glidden, Chair
Wednesday, March 16, 2016

The report is prepared by the Workplace Regulations Partnership Group:
Liz Doyle, Chair
Jim Rowader, Vice-Chair

Members

Susie Brown	Abdirahman Kahin^
Steve Cramer	Tony Lacroix-Dalluhn
Faisal A. Mohamud Deri	Guillermo Alexander Lindsay
Brian Elliott	Wade Luneburg
Dayna Frank	Sarah Webster Norton^
Chelsie Glaubitz Gabiou	Bruce Nustad^
Stephanie Gasca^	Christopher Carl Pennock
Molly Glasgow	Danny Schwartzman
Ron Harris	

^ These members participated fully in all deliberations, but as alternates, did not participate in the final vote on the document, recorded below.

VOTING IN FAVOR

Brown, Deri, Elliott, Frank, Gabiou
Glasgow, Harris, Lindsay, Luneberg,
Norton, Pennock, Schwartzman

VOTING AGAINST

Cramer

ABSTAINING

Lacroix-Dalluhn

ACKNOWLEDGEMENTS & ENDNOTES

The WPG would like to express thanks and appreciation to all City staff and partners who whose efforts contributed significantly to the group's work including the City Coordinator's Office, the City Clerk's Office, Neighborhood & Community Relations, and the City Attorney's Office.

Specific staff who contributed to listening sessions, business meetings, research, and other support include: Justin Adams, Abdirashid Ahmed, Sasha Bergman, Devin Bruce, Mageen Caines, Andrew Dahl, Peter Ebnet, Mariano Espinoza, David Frank, Peter Ginder, Jackie Hanson, Anissa Hollingshead, Chris Irving, Grant Johnson, Tina Kendrick, Ayianna Kennerly, Haila Maze, Christine McDonald, Peggy Menshek, Nick Ngo, Linda Roberts, Christian Rummelhoff, Josh Schaffer, Tim Schwarz, Susan Trammell, Brian Walsh, Grant Wilson, and Michael Yang. Special thanks to the following for leading the efforts and providing the WPG with the support and assistance they needed to perform their work:

- Nuria Rivera-Vandermyde, Deputy City Coordinator
- Casey Carl, City Clerk
- Gretchen Musicant, Commissioner, Minneapolis Department of Health
- David Rubedor, Director, Minneapolis Neighborhood & Community Relations
- Luke Weisberg & Robbie Seltzer, LukeWorks, LLC

ⁱ US Census, LEHD data, 2013

ⁱⁱ US Census, LEHD data, 2013

ⁱⁱⁱ US Census, LEHD data, 2013

^{iv} Minneapolis Department of Health briefing paper, August 2015

^v Analysis by WPG staff team, drawn from US Census, LEHD data, 2013

^{vi} Van Giezen, Robert. 2013. "Paid Leave in Private Industry Over the Past 20 years." Beyond the Numbers: Pay & Benefits 2, no. 18, as cited, Council of Economic Advisors, "Economics of Paid and Unpaid Leave", Executive office of the President, 2014

^{vii} US Census data, analyzed by CPED staff, available at: <http://www.ci.minneapolis.mn.us/cped/data>

^{viii} US Department of Commerce data, analyzed by CPED staff, available at: <http://www.ci.minneapolis.mn.us/cped/data>

^{ix} Employees who are employee-owners within Employee Stock Ownership Plans (ESOPS) or other similar arrangements will be considered "covered employees" for purposes of this policy

^x This is also consistent with existing City of Minneapolis civil service rules

^{xi} Further consideration should be given to the interaction between the ordinance and existing collective bargaining agreements.

^{xii} As an example, members of the WPG suggested that a published list of violators could be maintained, offering easy access to such information in order to ease the burden on licensees to find such information.

EXHIBIT A

GUIDING OBJECTIVES

Improve Public Health



Employees who are ill impact the health of the general public.

They are likely to infect colleagues, customers and other people they interact with during the work day.

Improve Employee Health & Labor Conditions



Enabling employees to take time off allows them to adequately take care of themselves and their families.

A little more than 40% of Minneapolis employees have no access to paid time off. These employees are disproportionately low-wage and individuals of color.

Improve Business Climate for Attracting and Retaining Employees



Ensuring that workers have time off to tend to their own well-being is a significant talent attraction and retention tool, and contributes to a healthy work environment, increasing productivity and reducing turnover costs.

By setting a citywide standard, businesses working in Minneapolis will enjoy a competitive edge and strengthen employee relations.

DECISION PATHWAY TOWARD POLICY RECOMMENDATIONS - WORKING DRAFT

Revised 01/14/16

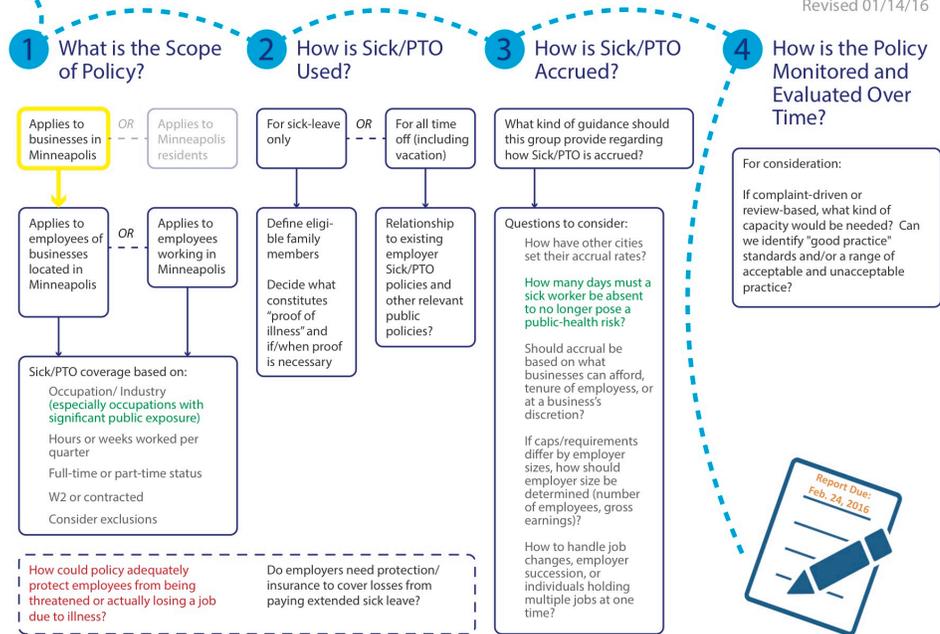


EXHIBIT B

Workplace Partnership Group Summary of Listening Sessions and Commentary

In 14 listening sessions across multiple industry sectors, racial/ethnic communities, and geographies, with more than 500 attendees total

WE HEARD:

VALUE PROPOSITION

- Healthy lives
 - Well-being of Minneapolis residents, workers, visitors and others being served by Minneapolis businesses
- Great workplaces
 - Well-being of Minneapolis workers: broad support for workers well-being
 - Productivity of Minneapolis-based businesses: While seeing challenges, there is opportunity to create more dependable workers.
 - Build on (or create) trusting work relationships

POLICY SOLUTIONS

- Simple, Clear, and perhaps not uniform...
- Reward work: earn time and give flexibility
- Focus attention on those who don't have any access. Don't mess up existing policies & contracts
- Be as clear as possible about potential business costs and mitigate or reward if possible

IMPLEMENTATION PATHWAYS

- Tend to retaliation to protect employees and potential for abuse to protect employers
- Consider (strongly) the possibility that this could be done more easily and effectively at the regional or state level
- Ensure process for existing sick/paid time off policies that meet minimum standards to be deemed in compliance
- Allow for time to phase-in – Educate, inform, and support!
- Designate a single point of contact to address employee and employer concerns
- Caution regarding City bureaucracy to manage and monitor implementation



EXHIBIT B

Workplace Partnership Group Summary of Listening Sessions and Commentary

Over 400 comments were received in hand-written comments at public sessions, online comments submitted during the Workplace Partnership Group's work, and through written comments to City Council on this topic during prior discussion and debate. A sampling of the range and depth of commentary is shared here.

Many "appreciate the City's efforts" and value the Council's consideration of the topic. "This is a great, progressive city and ensuring that people can take time off of work when they are ill is essential to the city's well being." In 2015, City staff received 420 comments in favor of Council action on this topic.

Comments on this topic in earlier rounds of discussion yielded as many as 90 comments on the potential negative impacts to businesses including regulatory burdens, lost profitability and concerns about competitiveness in a City-of-Minneapolis-only policy.

"The provision of a policy like this is essential for low-wage employees now lacking paid sick time off, for whom the question often comes down to: do I work, or do I eat?"

Commenters noted the need to provide protections for both employers and employees in cases of abusive practice; and to reduce/eliminate the risk of retaliatory practice or threat of job loss due to illness.

There is concern among nonprofit employers and those in publicly regulated businesses about having to "increase our fundraising to cover this added benefit (and it is not a compelling reason for our donors to contribute – just to make one specific city's regulation)" or try to "cost shift to other payers".

Small and independent businesses noted that they would likely have to increase prices to cover additional operating costs... something that risks their competitiveness in the marketplace.

Encouragement from many employers to "[limit the scope of this effort]" to those who are most affected. Similarly, many voiced concern that "[having to pay sick time for a part time employee is very difficult."

"I own a small/"micro" business with less than 5 employees that has been in operation for the past 5 years. We gross a very modest revenue and have committed ourselves to providing a living wage, fair scheduling, & sick & safe time to our employees (both PT and FT). As a result, we've achieved sustainable growth and success in our industry. If we can do this, any small business owner with a commitment to their community can."

Many commenters suggested that implementation should consider a phased-in approach, giving businesses time to learn, adjust, and plan for the change.

There was also strong support for an education and outreach component to this policy. Many employees may already have these benefits, but may not understand how to make use of them. Consider a phased-in approach, giving businesses time to learn, adjust, and plan for the change.

EXHIBIT C

Comparison of Paid Sick Time in US in Relation to WPG Policy Decision Outline

Jurisdiction	Scope: covered employers	Scope: covered employees (hours threshold)	Usage: Used beyond self?	Usage: what can be used for	Usage: documentation	Usage: increments	Usage: how counted (accrual rate)	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Accrual: carryover	Usage: relationship to PTO
CA - state	All	All employees that work with the same employer for at least 30 days/year (including part-time, per diem and temp.) Also includes employees of a staffing agency so whoever is the employer or joint employer is required to provide paid sick leave Also includes seasonal workers if they work with the same employer within 12 months of their separation and otherwise meet 30 day requirements Excludes: <ul style="list-style-type: none"> Providers of publicly-funded In-Home Supportive Services (IHSS) Employees covered by collective bargaining agreements with specified provisions Individuals employed by an air carrier as a flight deck or cabin crew member; if they receive compensated time off at least equal to the requirements of the new law Retired annuitants working for governmental entities 	Includes parents, child, spouse, registered domestic partner, grandchild, and sibling	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	Not addressed	Employer can set a "reasonable minimum increment," not to exceed 2 hours, for the use of paid sick leave	Allows for two options: Accrual policy: 1 hour for every 30 hours worked No accrual/roll front policy: full amount of leave available at beginning of year, except for new hires who need to wait 120 days! Note: inconsistency within same Dept. Of Industrial Relations FAQ	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	Law allows employers to limit an employee's use of paid sick leave to 24 hours-3 days/year Accrual cap of no more than 48 hours-6 days/year	Yes, but employers are able to cap by policy	If employer already offers PTO or sick time that meets requirements of new law, policy does not change According to CA FAQ, each plan must satisfy the accrual, carryover, and use requirements of the new law. Accrual method can vary, but must provide at least 1 hour for every 30 hours worked and must allow for accrual that results in no less than 24 hours accrued sick leave/PTO by the end of 12 th calendar day of employment, or each calendar year, or in each 12 month period. Law also provides a "grandfather" clause which allows those with sick/PTO policies in existence prior to Jan. 1, 2015 to maintain them and be deemed in compliance as long as they meet the following: <ul style="list-style-type: none"> Policy provides no less than 1 day or 8 hours of accrued paid sick/PTO within 3 months of employment per year The employee was eligible to earn at least 24 hours-3days sick leave/pio within 9 months of employment
CA - San Francisco	All	Employees employed in the city. Includes temp and part-time workers Also includes occasional employees who work within the city for at least 56 hours or more/year Excludes: <ul style="list-style-type: none"> CBA covered employees If CBA waives it in clear 	Includes children, parents, siblings, grandparents, grandchildren, spouses; registered domestic partners; and, if a worker has no spouse/domestic partner, a designated person of the worker's choice	Physical/mental illness, injury or condition Safe time: no (med issues relating to domestic partner would count as regular use of sick time)	Employer may require if sick time used past 3 consecutive days	Not addressed by ordinance Under city FAQ, employers can allow for leave increments in less than 1 hour if the employer so chooses, and	1 hour for every 30 hours worked	For qualified employees before effective date, starts immediately For new employees after effective date, after 90 days of employment	Immediately upon accrual	72 hours/year; employers with 10+ employees 40 hours/year; employers with less than 10 employees Note: cap is "floating": when an employee's	Yes up to yearly caps	Compliance can be achieved if employers meet minimum requirements of paid sick leave ordinance (more expansive than just complying with state law) - must meet accrual and use requirements at a minimum

Comparison of Paid Sick Time in US in Relation to WPG Policy Decision Outline

Jurisdiction	Scope: covered employers	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self?	Usage: what can it be used for	Usage: documentation	Usage: increments	Usage: how counted (accrual rate)	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Accrual: carryover	Usage: relationship to PTO
CA – Emeryville	All	Employees employed in the city who work at least 2 hours of workweek and who are entitled to min. wage under CA law Excludes: • Employees covered by a CAB expressly waiving the benefit	Yes – same as San Fran + time can also be used to care for a guide dog, signal dog, or service dog of the employee/ family member/ designated partner	Physical/mental illness, injury or condition Safe time: no (med issues relating to dom. viol would count as regular use of sick time)	Not addressed	Not addressed	1 hour for every 30 hours worked	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	55 or less employees: 48 hours/year 55+ employees: 72 hours/year [Note: size of employer is based on # of employees who work in Emeryville]	Yes, but employers are able to cap by policy	Not addressed so state law applies
CA – Oakland	All	Employees employed in the city who work at least 2 hours of work week and who are entitled to min. wage under CA law Excludes: • Employees covered by a CAB expressly waiving the benefit	Yes – same as San Fran	Physical/mental illness, injury or condition Safe time: no (med issues relating to dom. viol would count as regular use of sick time)	Employer may require if sick time used past 3 consecutive days If employer suspects abuse, may require documentation to verify subsequent uses of sick leave even if less than 3 days May not require an employee to incur expenses larger than \$5 to show eligibility of sick leave	Time may be used in increments of 1 hour or even less	1 hour for every 30 hours worked	At start of employment (or if already employed at ordinance's effective date)	After 90 calendar days of employment	10 or less employees: 48 hours/year (or generally had 40, but had to expand to meet state law) 10+ employees: 72 hours/year [Note: size of employer is based on # of employees regardless of location]	Yes – 40 hours yearly caps	Compliance can be achieved if an employer offers PTO sufficient to meet or exceed accrual requirement of ordinance From Oakland's City Attorney FAQ: must allow for same purposes as specified in law and must meet accrual requirements
CT – state	Any employer with 50+	All service workers as defined by law (per state classification and must be	Includes child and spouse	Physical/mental illness, injury or condition	3 days or more, employer may require	Not addressed	1 hour for every 40 hours worked	At start of employment or at effective date	After 680 hours of employment (or from law's	40 hours/year	Yes – 40 hours per year regardless of	Employers in compliance if existing policy meets min. requirements of accrual rate and use

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline

Jurisdiction	Scope: covered employees	Scope: covered employees (hours threshold) [exclusions]	Used beyond self?	Usage: what can it be used for	Usage: documentation	Usage: increments	Usage: how counted (accrual rate)	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Accrual: carryover	Usage: relationship to PTO
DC – Washington	All educational services	All employed within city limits Excludes: • Independent contractors • Students • Health care workers choosing to participate in a premium pay program • Unpaid volunteers engaged in the activities of an educational, charitable, religious, or nonprofit organization • Casual babysitters • Bar and restaurant workers who work for a combination of wages and tips • Workers in the building and construction industry covered by a CBA that expressly waives the requirement	Includes children, spouse; parents (in-laws); grandchildren; children's spouses; siblings; and spouses of persons sharing residence with employee for at least 12 preceding months	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	Employer may require if sick time used past 3 consecutive days "reasonable documentation" If foreseeable, employer may require advance notice not to exceed 7 days. If not, notice as soon as practicable.	Not specifically addressed, but city FAO states that time should be used in accordance with employer's policy and that generally, a requirement making an employee take off more hours than requested would not be considered reasonable	1 hour for every 87 worked: employees with 24 or less employees 1 hour for every 43 worked: employees with 25-99 employees 1 hour for every 37 worked: employees with 100+ employees	At start of employment (or if already employed at ordinance's effective date) Accrued hours for tipped restaurant or bar employees do not apply prior to Feb 2014 amendment	After 90 calendar days of employment, and then can only use if worked an average of 10 hours/week in most recently completed quarter	24 hour/year: employees with 24 or less employees 40 hour's/year: employees with 25-99 employees 56 hour's/year: Employees with 100+ employees	Yes up to yearly caps	Compliance can be achieved if employers meet minimum requirements of paid sick leave ordinance "An existing compensated leave policy shall be presumed to be equivalent to requirements of the Act if the policy allows the employee to: (a) Access and accrue compensated leave at the same rate or greater than the hours of leave provided in § 3201 of this Chapter; or (b) Use the compensated leave for the same purposes as those set forth in § 3203." [3203 specifies medical, mental health and safe time usages.]
MD - Montgomery County	All operating within county	All employees within county Excludes: • Employees who do not have a regular work schedule with an employer; contact the employer for assignments and are scheduled for work within 48 hours of	Includes children; parents and legal guardians; spouses; grandchildren; siblings (and spouses)	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	Employer may require if sick time used past 3 consecutive days Time may be used in the smallest increment that the employer's payroll system uses to account for absences or work time, except that an employee must not be required	1 hour for every 30 hours worked (<i>but see cap</i>)	At start of employment (or if already employed at ordinance's effective date)	Employer may opt to limit access until after 90 days of employment Employer also allowed to "front load" hours	56 hour's/year For businesses with less than 5 employees, only 32 hours must be paid and 24 can be provided on an unpaid basis	Yes up to yearly caps (though can use up to 80 hours/year if they have that amount when time has been carried over)	Not addressed	Per FAO, employees will be deemed to be in compliance with this law if they offer paid time off that either meets or exceeds the requirements of the act, meaning accrual and use rates, and reasons for the need for leave, etc.

Comparison of Paid Sick Time in US in Relation to WPG Policy Decision Outline

Jurisdiction	Scope: covered employers	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self?	Usage: what can it be used for	Usage: documentation	Usage: increments	Usage: how counted (accrual rate)	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Accrual: carryover	Usage: relationship to PTO
NJ – Jersey City Newark Passaic East Orange Paterson Irvington Trenton Montclair Bloomfield Elizabeth	All operating within city	Employees employed in the city who work 80 hours/year Excludes: Employees of any gov., NJ school district, Bd. of Ed., & Rutgers U.	Includes children; parents; parents of a spouse or domestic/civil union partner; spouses; domestic/civil union partners; grandchildren; the spouse or domestic/ civil union partner of a grandparent; and siblings	Physical/mental illness, injury or condition Safe time: no (med issues relating to dom. viol would count as regular use of sick time)	Employer may require if sick time used past 3 consecutive days	Time may be used in the smaller of hourly increments of the smallest increment that the employer's payroll system uses to account for absences or use of other time.	1 hour for every 30 hours worked (for both paid and unpaid sick time)	At start of employment (or if already employed at ordinance's effective date)	After 90 days of employment	40 hours/year: employees with 10+ employees 40 hours of <i>unpaid</i> sick time/year: employees with less than 10 employees	Yes up to yearly caps loaded" time need not allow carryover	Compliance can be achieved if employees meet minimum requirements of paid sick leave ordinance Jersey City: must meet total annual accrual requirements and allow for it to be used for same purpose and under the same conditions as ordinance
NY – New York City	Employers with 5+ employees	Employees employed in the city who work more than 80 hours/year are covered. Domestic workers included where they've worked for the same employer for at least 1 year and over 80 hours/year. Includes part-time, temp., per diem and on call, undocumented, and transitional job program employees. Also includes employees. Also includes telecommuters provided for at least a year and who work 80+ hours/year must provide paid sick leave	Includes children; spouses; registered domestic partners; parents; grandchildren; grandparents; siblings; and the parents of a spouse or domestic partner	Physical/mental illness, injury or condition Safe time: no (med issues relating to dom. viol would count as regular use of sick time)	Employer may require if sick time used past 3 consecutive days	Allows employers to set a "reasonable" minimum daily increment, but the minimum cannot be more than 4 hours per day unless otherwise permitted by state/federal law.	1 hour for every 30 hours worked (for both paid and unpaid sick time, as described below)	At start of employment (or if already employed at ordinance's effective date) If covered by a CAB that is in effect at time of law, employees accrue under new ordinance on the date the CHA terminates	After 120 days of employment	40 hours/year: employees with 5+ employees 40 hours of <i>unpaid</i> sick time/year: employees with less than 5 employees	Yes up to yearly caps	Compliance can be achieved if employees meet minimum requirements of paid sick leave ordinance Minimum requirements: <ul style="list-style-type: none"> Must apply to all covered employees as per scope Must meet accrual requirements Must allow for use of at least 40 hours within 12 month period Must allow for use requirements as per law (self and family) Cannot impose limitations or conditions beyond those in law Allows for carry over of 40 hours (unless employer allows front loading) Provides that employees are paid at least their regular hourly rate, but no less than \$9/hour (min. wage) for paid leave Allows employees to use without retaliation and does not interfere with the right to file a complaint

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline

Jurisdiction	Scope: covered employees	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self?	Usage: what can it be used for	Usage: documentation	Usage: increments	Usage: how counted (accrual rate)	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Accrual: carryover	Usage: relationship to PTO
OR - state	All that employ 10+ employees [Note: Employers with 9 or less employees must provide unpaid sick time] Excludes: • Certain hourly speech/physical/occupational therapists • Independent Contractors • Participants in Work Experience Programs • Government employees • Certain employees subject to CAB's	Employees within state including part-time and temp. Excludes: • Certain employees who are covered by a CAB employed through a hiring hall and whose benefits are provided by a joint multi-employer-employee trust or benefit plan	Includes child, spouse, partner, parent (in-laws), parent of an employee's same-gender domestic partner; grandchild, person with whom the employee is or was in a relationship of in loco parentis	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	Employer may require if sick time used past 3 consecutive days	Employees must use accrued sick time in hourly increments unless to do so would pose an undue hardship to the employer, in which case the employer may require sick time to be taken in minimum increments of 4 hours	1 hour for every 30 hours worked or 1 1/3 hour for every 40 hours worked	At start of employment (or if already employed at ordinance's effective date) Employers can opt to "front load" 40 hours of sick time at beginning of the year or track hours worked	After 90 calendar days of employment	40 hours/year	Yes - up to 40 hours though employers may adopt policies that limit accrual to no more than 80 hours or usage to no more than 40 hours/year	Employees in compliance if their plan is "substantially equivalent" to the minimums of the law established Per Notice poster: "Substantially equivalent" means that employees are allowed to use at least the same number of hours for the same purposes under the same or more generous rules as outlined in this notice."
OR - Portland	All except federal, state and other subdivisions of city/county/state gov't. that employ at least 6= employees [Note: Employers with 5 or less employees must provide unpaid sick time] Excludes: • A co-partner of the Employer • An independent contractor • A participant in a work training program administered under state or federal assistance laws • A participant in a work study program that provides students in	Employees employed in the city who work 240 hours+/year (regardless of employer location); includes temp. employees, staffing agencies and telecommunications (later depends on where the employee is conducting the work) Excludes: • A co-partner of the Employer • An independent contractor • A participant in a work training program administered under state or federal assistance laws • A participant in a work study program that provides students in	Includes child, spouse, same-gender domestic partner; parent (in-laws); parent of an employee's same-gender domestic partner; grandparent or grandchild; person with whom the employee is or was in a relationship of in loco parentis	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	Employer may require if sick time used past 3 consecutive days	Can use in increments of 1 hour unless a lesser increment is allowed by the employer Employer cannot require use of full shift as a condition to using sick leave unless it is physically impossible for the employee to commence or end work pathway through the shift	1 hour for every 30 hours worked or 1 1/3 hour for every 40 hours (generally applies to salaried employees)	At start of employment (or if already employed at ordinance's effective date) Though not required, employer may allow for "front loading" in advance of accrual	After 90 days of employment provided they worked a minimum 240 hours/year	40 hours/year though employers can allow more	Yes up to yearly caps for accrued time Employers that provide "front loaded" time need not allow carryover	Compliance can be achieved if employers meet minimum requirements of paid sick leave ordinance Per ordinance: "Employers with Sick Leave or PTO policies that provide that equals or exceeds the requirements of the Ordinance shall be deemed in compliance with the accrual and use sections of the Ordinance."

Comparison of Paid Sick Time in US in Relation to WPG Policy Decision Outline

Jurisdiction	Scope: covered employers	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self?	Usage: what can it be used for	Usage: documentation	Usage: increments	Usage: how counted (accrual rate)	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Accrual: carryover	Usage: relationship to PTO
PA - Philadelphia	All employers with 10+ employees for at least 40 weeks/year	Employees employed in the city who work 40 hours/year Excludes: <ul style="list-style-type: none"> Independent contractors for not more than 16 weeks/year) Adjunct professors Interns Workers hired for a term of less than 6 months State and federal employees Health care professionals (excluding those employed by a temp placement agency) who only work when they say that they are available and who aren't obligated to work, if they are not available 	Includes children; parents; parents-in-law; spouses; grandparents (and spouses); siblings (and spouses); life partners (a long-term committed relationship between two unmarried individuals of the same sex or gender identity who meet certain, specified requirements)	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	Employer may require if sick time used past 2 consecutive days.	Accrued sick time may be used in the smallest hourly increments or the employer's payroll system uses to account for absences or use of other time	1 hour for every 40 hours worked	At start of employment (or if already employed at effective date)	After 90 calendar days of employment	40 hours/year: employees with 10+ employees 40 hours of unpaid sick leave/ year for employees with less than 10 employees	Yes up to yearly caps Employees that provide "front loaded" time need not allow carryover	Compliance can be achieved if an employer offers PTO sufficient to meet or exceed accrual requirement of ordinance and as long as employee can use in the same manner as required in ordinance Per ordinance: "Any employer with a paid leave policy, who makes available an amount of paid leave (including but not limited to vacation days, sick days, short-term disability benefits, floating holidays, parental leave, personal days, or PTO), sufficient to meet or exceed the accrual requirements of this Section, and that may be used for the same purposes and under the same conditions as sick time under this Chapter, is not required to provide additional sick time."
WA - Seattle	Businesses with 4+ employees	Employees employed in the city that work over 240 hours/year Excludes: <ul style="list-style-type: none"> Federal/state/country employers Employees who work or telecommute outside of Seattle Employees who travel through Seattle Students enrolled in a work study program Two year exemption for new small and medium-sized employers (Tier 1) 	Includes children; parents (and in-laws); grandparents; spouses; domestic partners	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	Employer may require if sick time used past 3 consecutive day. Employer may ask for documentation for absences shorter than 3 days if there is a clear instance or pattern of abuse Police report required for paid safe time	For employees covered by FLSA overtime requirements, time may be used in hourly increments or smaller if allowed by an employer For employees exempt employees, time to be deducted in accordance with FLSA	1 hour for every 30 hours worked: employees with 250+ employees (Tier 3) 1 hour for every 40 hours worked: employees with 4-249 employees (Tier 1 and Tier 2)	At start of employment (or if already employed at ordinance's effective date)	After 180 calendar days of employment	40 hours/year: employees with 4-49 FTE's 56 hours/year: employees with Business with 50-250 FTE's 72 hours/year (or up to 108 hours/year if the employer has a universal paid time off policy):	Yes up to yearly caps	Combined or universal leave (PTO) policies are permitted provided they comply with the underlying sick time ordinance Per ordinance: <ul style="list-style-type: none"> Tier 1 and 2 employees Must be able to use time for the same purpose Must accrue time at a rate consistent with policy Cannot limit use of time to less than allowed in policy Must allow for carryover

Comparison of Paid Sick Time in US in Relation to WPG Policy Decision Outline

Jurisdiction	Scope: covered employers	Scope: covered employees (hours threshold) [exclusions]	Usage: Used beyond self?	Usage: what can it be used for	Usage: documentation	Usage: increments	Usage: how counted (accrual rate)	Usage: accrual start	Usage: when able to access	Usage: cap on hours	Accrual: carryover	Usage: relationship to PTO
WA - Tacoma	All except Fed govt., state, county, local government and single person businesses	Employees employed in the city who work 80 hours/year Excludes: • Work-study • Students • Independent Contractors • Govt. employees	Includes children, parents; grandparents; spouses; domestic partners (local or state registers)	Physical/mental illness, injury or condition Safe time: yes (both employee and family members)	Where employer offers health ins., employer pays each payor \$50% of cost for documentation; if employee declines health ins., not entitled to reimbursement Does not specify other than to say an employer may require an employee comply with the employer's usual and customary requirements	Employers may require a minimum use time subject to FLSA If none established, same as Seattle above	1 hour for every 40 hours worked	At start of employment (or if already employed at ordinance's effective date) Though not required, employer may allow for "front loading" in advance of accrual	After 180 calendar days of employment	24 hours/year employees with 250+ FTE's	Yes - up to yearly caps	Compliance can be achieved if an employer offers PTO sufficient to meet or exceed accrual requirement of ordinance Per ordinance: • Must be able to use time for the same purpose • Must accrue time at same rate • Use of leave is limited to no less than 24 hours/year • PTO is approved by the Finance Director and is consistent with the rules and regulations promulgated by the Director
MN - Minneapolis (city employees)	City as employer	All city employees except temporary, intermittent employees and those in outside trades (though the city contributes to these union plans and the union plans in turn provide benefits)	Includes child, spouse, sibling, parent (and in-laws), grandchild, grandparent, guardian, ward, members of employees household, and registered domestic partner.	Physical/mental illness, injury or condition and qualified treatment for chemical dependency; safety leave as defined by state law is included	Employer may require documentation if: • Absent for more than 5 consecutive days or • Has used more than 12 days of unverified sick leave within the last 12 months or • Where there is suspected fraudulent use or • Where there are patterned absences	Non-exempt FLSA employees allowed to use sick leave in partial increments Exempt FLSA employees can use partial time, in accordance with FLSA standards, unless labor agreement specifies otherwise Smallest amount of time tracked in payroll system is 15 minutes	1 day per calendar month worked	Generally, at start of employment	Unless otherwise specified in labor agreement, employees can use sick time as soon as it is accrued	12 days/year	Yes - no cap	NA

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline – Compliance, Monitoring and Enforcement

Jurisdiction	Enforced By	Compliance: education/ outreach	Compliance: complaint based vs. proactive	Compliance: protections	Staff	Notice & Recordkeeping	Private right of action	Implementation Notes
CA - state	California Division of Labor Standards Enforcement in the Department of Industrial Relations	DLSE website has a webinar and slides to help employers understand how to comply.	Complaint driven	Expressly prohibits retaliation		Notice: employer must display poster with specific requirements (available on Labor Commissioner's website) Individual notice: After Jan. 1, 2015, must provide individualized Notice to Employee (except to exempt employees, gov't employees and those covered by a non-applicable CBA). This includes employees hired before Jan. 1, 2015 even if existing policies meet min requirements of new law. Also requires amount of remaining leave to be visible on pay stub. Record keeping: Employers must retain records for 3 years.	No, but the State Labor Commissioner or Attorney General may bring a civil action in Court against an employer or person violating the article.	The sick leave and minimum wage ordinance may be waived, except to the extent required by law, in a bona fide collective bargaining agreement.
CA - San Francisco	Office of Labor Standards Enforcement under the City Administrator or		Complaint driven	Expressly prohibits retaliation	5.5 FTEs enforce minimum wage and sick time ordinances	Notice: every employer must post in a conspicuous place at any workplace or job site where any employee works required notice, and must be posted in English, Spanish, Chinese, and any language spoken by at least 5% of the employees at the workplace or job site. Record keeping: Employers must retain records for 4 years.	Yes	San Francisco Office of Labor Standards Enforcement created a comparison for employers to understand the differences between the San Francisco ordinance and the state law. Their office averages around 60 minimum wage cases per year, and 25 sick time cases. This does not include other reports that are not necessarily substantiated. Helpful to have an employee involved in the investigation (third party complainants are allowed). More than half of the workers who file a complaint do not speak English as a first language. Most compliance officers are bilingual. Law applies to undocumented workers as well.
CA - Emeryville	City of Emeryville	Provides online list of links to employer tools and resources.	Complaint driven	Retaliation expressly prohibited	1 FTE, who also enforces other issues like minimum wage	Notice: Posting in of rights shall be posted prominently in areas of the worksite where all employees can see. Individual notice: Employers must provide written notification to each employee at time of hire, in such languages as necessary. Record keeping: Employers must maintain a record for 3 years.	Yes	Population: 852,469 The sick leave and minimum wage ordinance may be waived, except to the extent required by law, in a bona fide collective bargaining agreement. Population: 11,227 (with only 1,100 businesses) Prior to the ordinance going into effect, they conducted proactive outreach to businesses and the general public to help inform them of the ordinance and what the requirements were for compliance. This included public meetings with presentations and Q & A as well as mass mailings. They are in the process of developing forms and FAQs. The city may use an employer's record of non-compliance with the ordinance when considering awarding contract, land use approvals, or other entitlements to expand or operate within the City, and may deny requests on that basis.
CA - Oakland	City of Oakland	Provides online list of links to employer tools and resources.	Complaint driven	Retaliation expressly prohibited		Notice: Must prominently display in areas of the worksite and accessible to all employees, and must be displayed in all languages spoken by more than 10 percent of employees Individual notice: Employers must provide individual written notice at time of hire Record keeping: Employers must maintain a record for 3 years.	Yes	Population: 413,775
CT - state	Dept. of Labor		Complaint driven	Retaliation expressly prohibited		Notice: At time of hire, must inform employee of sick leave benefit and terms, policy against retaliation, and that the employee has right to file a complaint with DOL. Employers can comply with above by displaying poster in English/Spanish as required.	No	

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline – Compliance, Monitoring and Enforcement

Jurisdiction	Enforced By	Compliance: education/ outreach	Compliance: complaint based vs. proactive	Compliance: protections	Staff	Notice & Recordkeeping	Private right of action	Implementation Notes
DC – Washington	Dept. of Employment Services		Complaint driven	Retaliation expressly prohibited		<p>Notice: Employers must place in a conspicuous place, in all languages spoken by eligible employees with limited or no-English proficiency</p> <p>Record keeping: Employers must retain records for 3 years.</p>	Yes	<p>According to the City Auditors Report from 2013, 50% of businesses provided paid sick pre-ordnance:</p> <ul style="list-style-type: none"> 87.5% of surveyed businesses said the requirement to provide paid sick time would not cause them to move their business to another jurisdiction Data from a survey in the 2015 City Auditor’s Report showed that only 1 in 10 businesses surveyed stated that paid sick and safe leave hurt their profitability, while more than half of respondents said it had either no effect or a positive effect on profitability
MD - Montgomery County	Office of Human Rights		Complaint driven	Retaliation expressly prohibited	<p>Currently has 5 FTEs (1 manager, 4 investigators) for all anti-discrimination and other labor-related law related work. No additional FTEs for sick time, though they’ve asked for 1-3 employees to be added to help with sick law, and other laws that have been added to their department in recent years with no increase in staff to enforce</p>	<p>Notice: Employer must provide notice to all employees, but may provide notice by:</p> <ol style="list-style-type: none"> Display in conspicuous and accessible areas in the work locations. Including the model notice in the employee handbook or written notice distributed individually to all employees, or Provided to employees at time of hire. <p>Record keeping: Employers must retain records for 3 years</p>	unclear	<p>Population: 658,893</p> <p>Parties subject to collective bargaining agreements are exempt so long as the parties both expressly waived the coverage in clear and unambiguous terms in the agreement.</p> <p>Sick law is new, and the agency is in the process of implementing.</p> <p>Population: 1M</p>
NJ – Bloomfield	Dept. of Health and Human Services		Complaint driven, though the agency has authority to access employer records to ascertain compliance	Retaliation expressly prohibited	<p>Per their own estimate, they believe staff enforcing this ordinance only would = 1.5 FTE.</p> <p>In total, they have 27 staff, 14 of which are full-time, but no one is particularly dedicated to enforcing sick time alone as they cover many different issues.</p>	<p>Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer’s workforce</p> <p>Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer’s workforce</p> <p>Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee</p>	Yes	<p>Parties subject to collective bargaining agreements are exempt so long as the parties both expressly waived the coverage in clear and unambiguous terms in the agreement.</p> <p>Population of 47,929</p>
NJ – East Orange	Dept. of		Complaint	Retaliation		<p>Notice: Employers must display a poster in a spot</p>	Yes	<p>Parties subject to collective bargaining agreements are exempt so long as the parties both</p>

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline – Compliance, Monitoring and Enforcement

Jurisdiction	Enforced By	Compliance: education/ outreach	Compliance: complaint based vs. proactive	Compliance: protections	Staff	Notice & Recordkeeping	Private right of action	Implementation Notes
	Health and Human Services		driven, though the agency has authority to access employer records to ascertain compliance	expressly prohibited		conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee		expressly waived the coverage in clear and unambiguous terms in the agreement. Population: 65,078
NJ - Elizabeth	Department of Health and Human Services				Ordinance goes into effect on March 1 – have not added staff to enforce. Will consider if demand exceeds staff capacity.	Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee		They offered to provide data at a future date (three to six months from now) in case they have additional insight to provide. Population: 128,705
NJ - Irvington	Dept. of Neighborhood Services		Complaint driven, but agency has broad authority to ensure compliance	Retaliation expressly prohibited		Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee	Yes	Parties subject to collective bargaining agreements are exempt so long as the parties both expressly waived the coverage in clear and unambiguous terms in the agreement. Population: 54,512
NJ - Jersey City	Dept. of Health and Human Services	Online FAQ available in English, Arabic, Chinese, Hindi, Spanish, Tagalog	Complaint driven, but may also "engage in pro-active" enforcement, through the use of audits, on-site investigations, or other measures to ensure employer's compliance"	Retaliation expressly prohibited		Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain records for 3 years	Yes	Jersey City ordinance required a research study to measure the economic impact on business and the health of residents, beginning 1 year from the effective date of the chapter. The Center for Women and Work at Rutgers University found: 1) 80 percent of businesses were in compliance of the law; 2) 42 percent of respondents that changed their policies after the mandate reported that business was better, including lower turnover in staff, higher quality recruits, and some increases in productivity Population: 262,146
NJ - Montclair	Dept. of Health and Human		Complaint driven, though DHHS has	Retaliation expressly prohibited		Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's	Yes	Parties subject to collective bargaining agreements are exempt so long as the parties both expressly waived the coverage in clear and unambiguous terms in the agreement.

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline – Compliance, Monitoring and Enforcement

Jurisdiction	Enforced By	Compliance: education/ outreach	Compliance: complaint based vs. proactive	Compliance: protections	Staff	Notice & Recordkeeping	Private right of action	Implementation Notes
	Services		broad powers to ensure compliance			workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee		Population: 38,142
NJ - Newark	Dept. of Child and Family Well-being		Complaint driven, but agency has broad authority to ensure compliance	Retaliation expressly prohibited		Individual Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee	Yes	Parties subject to collective bargaining agreements are exempt so long as the parties both expressly waived the coverage in clear and unambiguous terms in the agreement. Population: 280,579
NJ - Passaic	Dept. of Health and Human Services		Complaint driven, but agency has broad authority to ensure compliance	Retaliation expressly prohibited		Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee	Yes	Parties subject to collective bargaining agreements are exempt so long as the parties both expressly waived the coverage in clear and unambiguous terms in the agreement. Population: 71,509
NJ - Paterson	Dept. of Health and Human Services		Complaint driven, but agency has broad authority to ensure compliance	Retaliation expressly prohibited	No one specifically added for this proposal. Currently 2 FTEs working on this along with other issues.	Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee	Yes	Parties subject to collective bargaining agreements are exempt so long as the parties both expressly waived the coverage in clear and unambiguous terms in the agreement. Population: 146,753

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline – Compliance, Monitoring and Enforcement

Jurisdiction	Enforced By	Compliance: education/ outreach	Compliance: complaint based vs. proactive	Compliance: protections	Staff	Notice & Recordkeeping	Private right of action	Implementation Notes
NJ – Trenton	Dept. of Health and Human Services	FAQ and paid sick leave brochure available in English and Spanish online.	Complaint driven, but agency has broad authority to ensure compliance	Retaliation expressly prohibited	I FTE (with someone to cover and answer questions if she can't be there). Manager is also responsible for other duties.	time taken by an employee Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee, so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain adequate records documenting hours worked by an employee and paid sick time taken by an employee	Yes	Parties subject to collective bargaining agreements are exempt so long as the parties both expressly waived the coverage in clear and unambiguous terms in the agreement. Population: 84034
NY – New York City	Dept. of Consumer Affairs, Paid Sick Leave Division	Massive multimedia and multilingual campaign that included TV/ radio and public transit ads, literature in 25 languages and 820 community meetings and workshops	Complaint driven, but can be initiated by the department as well – "If it has reason to believe that an employer's practices warrant investigation"	Retaliation expressly prohibited		Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in English and primary language of the employee provided the department has made available the notice in that language. Record keeping: Employer must maintain records for 2 years, unless otherwise required by law or regulation	No	Parties under a collective bargaining agreement are exempt if: 1) parties have expressly waived such provisions in their collectively bargained contracts, and 2) such agreements provide comparable benefits for covered employees, including but not limited to, PTO, vacation days, personal time, sick time, or premium pay rate Population: 8.5M
OR – Portland	City and the OR Bureau of Labor and Ind.	Mandated outreach program	Complaint driven	Retaliation expressly prohibited		Notice: Employers must display a poster in a spot conspicuous and accessible to all employees in English or any other language spoken by 10 percent of the employer's workforce Individual Notice: Employers must provide written notice at time of hire, or if already employed, as soon as possible, in the primary language of the employee so long as the language is spoken by 10 percent of the employer's workforce Record keeping: Employer must maintain records for 2 years.	Yes	Population: 619,360
OR – state	Bureau of Labor and Industries	Oregon Statewide Sick Time seminars, Technical assistance hotline.	Complaint driven	Retaliation expressly prohibited		Notice: Employer shall provide written notice of the Act to each employee. Administrative rules provide that this notification can personal written notice to employee, incorporating the written notice into a handbook, or posting in a conspicuous location in the workplace. Individual Notice: Employer shall provide quarterly written notification on the amount of accrued and unused sick time available for use. Notices must be provided in language the	Yes	

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline – Compliance, Monitoring and Enforcement

Jurisdiction	Enforced By	Compliance: education/ outreach	Compliance: complaint based vs. proactive	Compliance: protections	Staff	Notice & Record-keeping	Private right of action	Implementation Notes
PA – Philadelphia	Managing Director's Office	Mandated multilingual outreach program that includes notices to childcare and elder care providers, domestic violence shelters, schools, hospitals, community health centers and other health providers	Complaint driven	Retaliation expressly prohibited.		<p>employer typically uses to communicate with the employee.</p> <p>Record keeping: Health information of an employee related to sick time is confidential and cannot be released without employee permission.</p> <p>Notice: can be public posters or individualized notice, and must be in employer handbook. Must be in English and any other primary language spoken by at least 5% of workplace employees.</p> <p>Record keeping: Employers must retain records for 2 years.</p>	Yes, but after receipt of final decision from agency or 180 days after filing a complaint	The sick leave and minimum wage ordinance may be waived, except to the extent required by law, in a bona fide collective bargaining agreement. Population: 1.5M
WA – Seattle	Office for Civil Rights		Complaint driven	Retaliation expressly prohibited.	Seven employees who enforce sick ordinance and other workplace ordinances.	<p>Notice: employers are required to provide notice to all employees who work in Seattle. Notice must be conspicuous and accessible. & physical and/or electronic</p> <p>Individual Notification: Employers must provide notification of available sick time each time wages are paid (by paystub and/or online)</p> <p>Record keeping: Employers must retain records for two years that indicate:</p> <ul style="list-style-type: none"> • Employee hours worked in Seattle. • Accrued sick time by employee. • Use of sick time by employee. 	No	<p>A two-year exemption was provided for new small and medium sized employers (more than four employees up to 49 employees, and more than 49 employees to 249 employees, respectively).</p> <p>Interview with Senior Policy Analyst in Seattle's Office of Labor Standards indicates that both enforcement and education are equally important and unending.</p> <p>When conducting an investigation based on a complaint, they will do a comprehensive review of all wage issues on site, as they often encounter multiple issues.</p> <p>Seattle budgeted \$250,000 for an evaluation of the sick and safe law, which will be conducted by the University of Washington's Evans School of Public Affairs, and the Office of the City Auditor.</p> <p>Population: 662,400</p>
WA – Tacoma	City of Tacoma Finance Director	Paid advertising in newspapers, incorporated into public transit. Social media campaign. Direct mail to businesses in the city limits.	Complaint driven	Retaliation expressly prohibited	Ordinance went into effect on Feb 1, 2016 and they have 2 staffers (program manager and a customer service rep). They have authority to hire 2 more analysts – one on Feb 29 and the other when	<p>Notice: Employers may provide notice by:</p> <ol style="list-style-type: none"> 1) Posting the Notice in a conspicuous location accessible to all employees in each workplace; 2) Including the notice in the employee handbook; or 3) Providing each employee with a written copy of the notice (either tangible or electronic) <p>Record keeping: Employers must retain records for 3 years</p>	Yes	<p>Employer checklist to guide through compliance. Checklist available in English, Spanish, Korean, Russian, Cambodian, and Vietnamese. See checklist here: http://ems.cityoftacoma.org/Franke/paid-leave/PTO-Policies-Checklist.pdf</p> <p>Tacoma Outreach Log provides list of advertising and outreach efforts: http://www.enforinsickdays.org/wp-content/uploads/2016/02/Tacoma-Outreach-Log1.pdf</p> <p>Tacoma staff sent this note following up on conversation with staff: "I attached a draft work plan that we used for implementation in case its [sic] helpful. We had one year between passage of the paid leave ordinance and implementation and just 2-3 months following the November elections to implement minimum wage. What we have learned so far is that having a well-organized website and a straight forward law (no tiers based on employer</p>

Comparison of Paid Sick Time in US in relation to WPG Policy Decision Outline – Compliance, Monitoring and Enforcement

Jurisdiction	Enforced By	Compliance: education/ outreach	Compliance: complaint based vs. proactive	Compliance: protections	Staff	Notice & Recordkeeping	Private right of action	Implementation Notes
		City-hosted employer information sessions. Employer Paid Time Off checklist. Online mapping tool to determine if business is in city limits.			caseload demands It. Staff works on both sick leave and min. Wage enforcement, though most complaints have been about sick time.			<p>size, etc.) has reduced the number of calls we have received greatly compared to implementation in other cities. Most callers with questions have found a majority of what they need on our website and are calling with questions regarding a specific workplace scenario. We still received 145 sick leave related inquiries in January and about 120 in December.”</p> <p>They will be conducting broader investigations (workplace wide or for an entire classification vs. individual investigations) for most complaints. Retaliation complaints will likely be handled on a case by case basis.</p> <p>The analysts coming on board may have recommendations on outreach/education, but it remains to be seen how much outreach and education they individually will have time for. They conducted significant outreach leading to the February 1 effective date.</p> <p>In addition to education and outreach, they had a public process to form rules that provide guidance for implementing the Ordinance. This included significant outreach as well as four public hearings.</p> <p>Population: 205,159</p>

EXHIBIT D

CITY OF MINNEAPOLIS

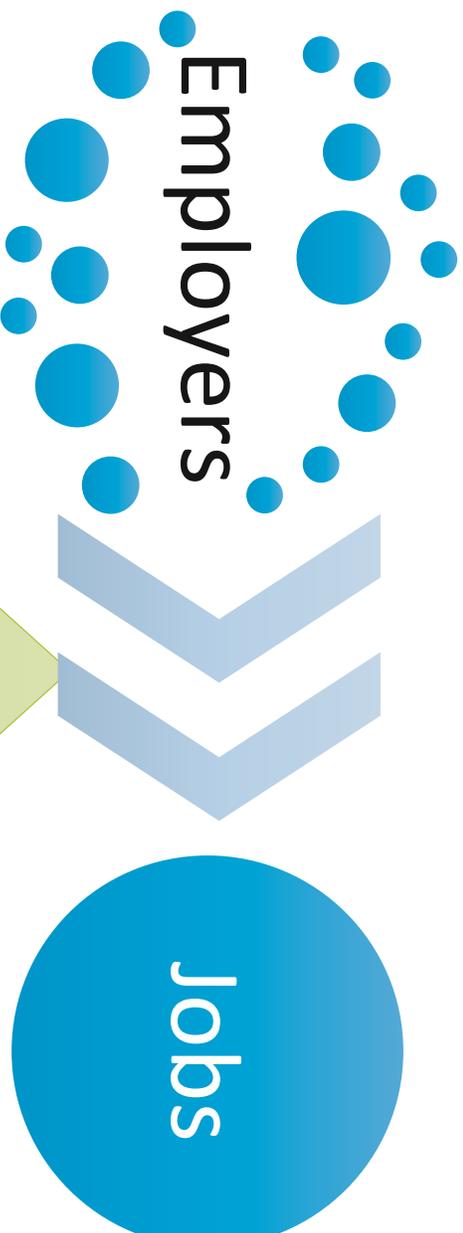
WORKPLACE REGULATIONS PARTNERSHIP GROUP

REVISITING OUR RESEARCH

FEBRUARY 2016

YOU ASKED...

How many employees are working in Minneapolis, across how many businesses?



2007 data from the Bureau of Labor Statistics (BLS) shows **9,748** employers in Minneapolis with employees

302,236 individuals working in Minneapolis

2014 data from US Census shows about 309,000 jobs in Minneapolis

*Employer count from 2007 Census Quickfacts
Job count from 2014 QCEW
Worker count from 2011 OTM*

**Note: employer count represents only those employers that report to the MN Unemployment Insurance system. This number is likely an undercount.*

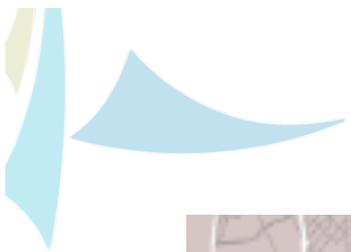
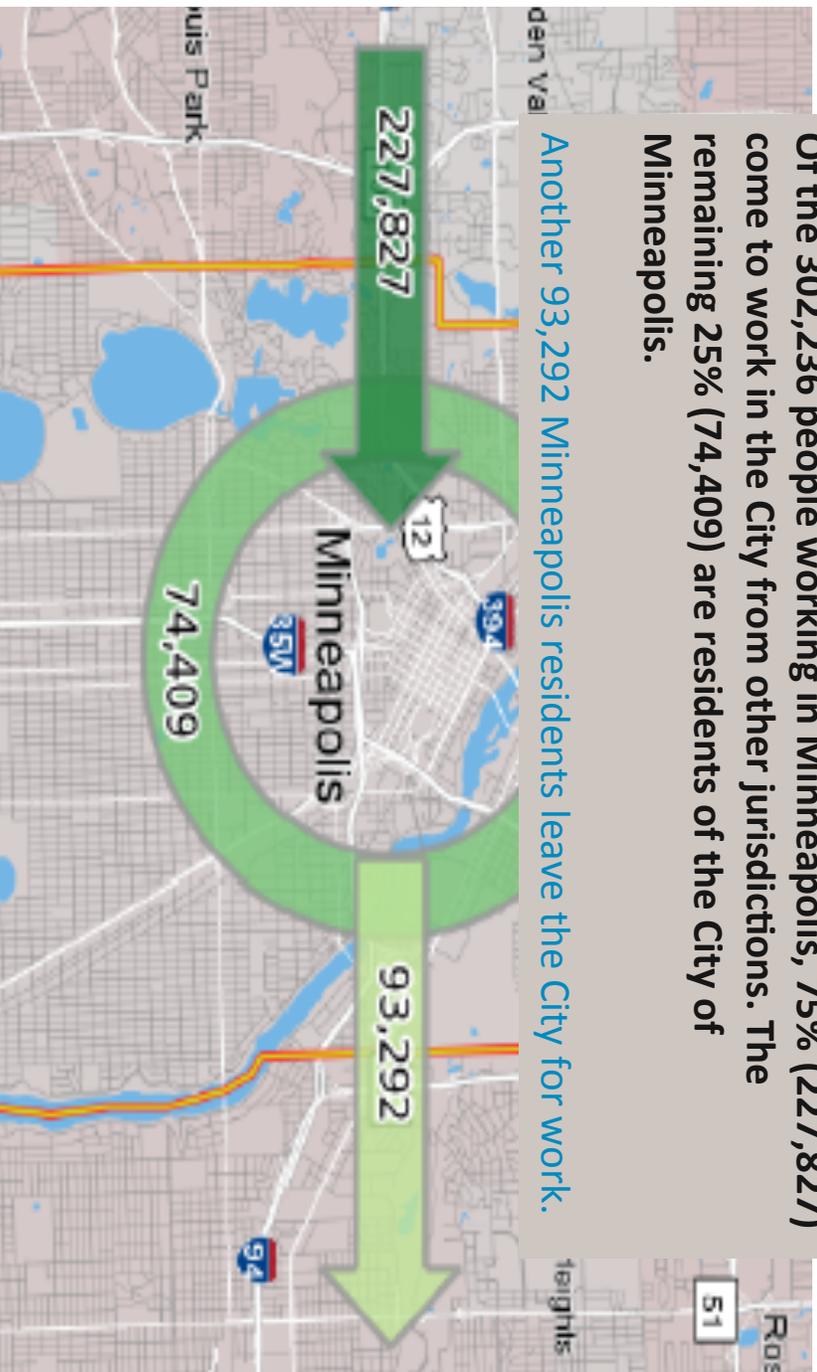


YOU ASKED...

What is the relationship among people working in Minneapolis to people living in Minneapolis?

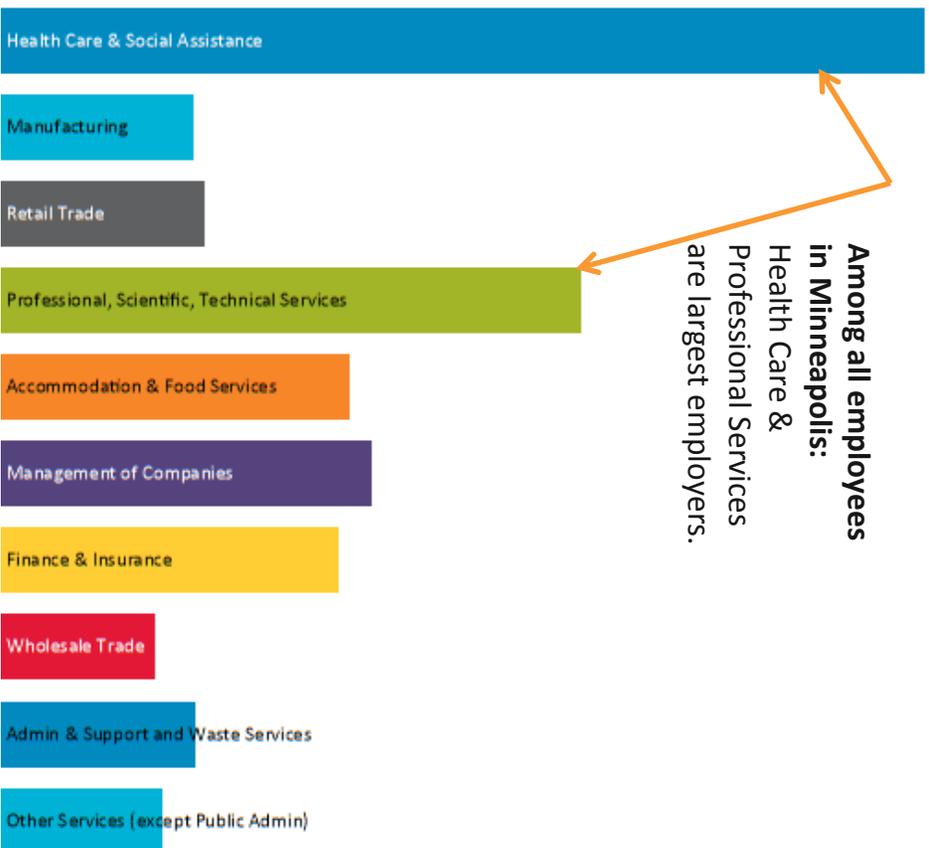
Of the 302,236 people working in Minneapolis, 75% (227,827) come to work in the City from other jurisdictions. The remaining 25% (74,409) are residents of the City of Minneapolis.

Another 93,292 Minneapolis residents leave the City for work.

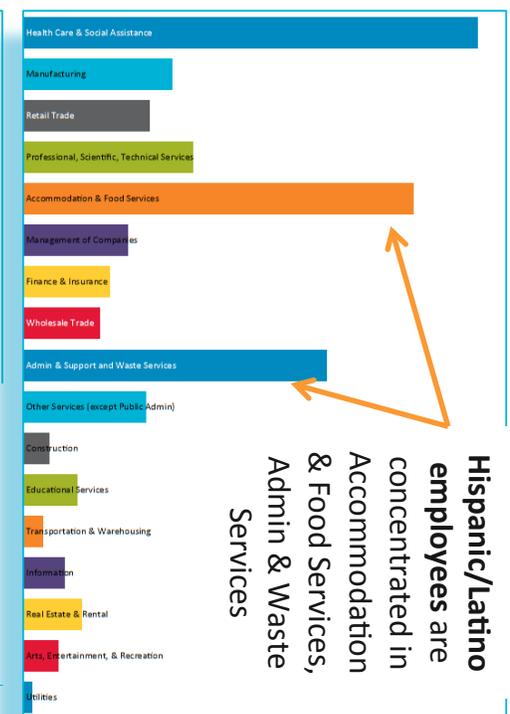
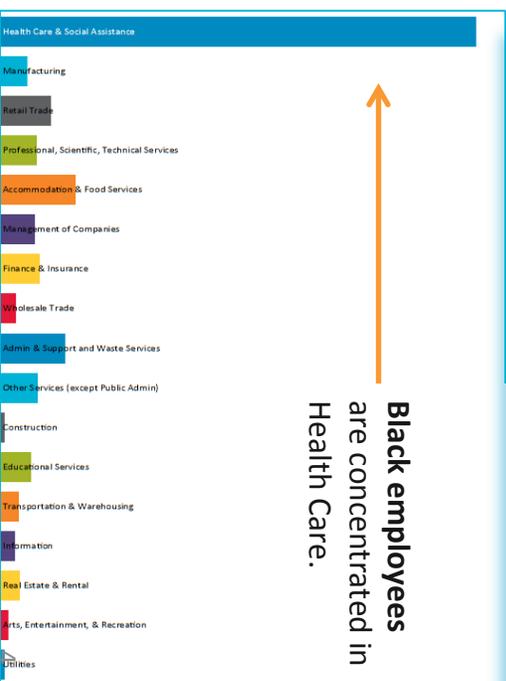


YOU ASKED...

What's the breakdown of employees in the City of Minneapolis, by industry and by race?



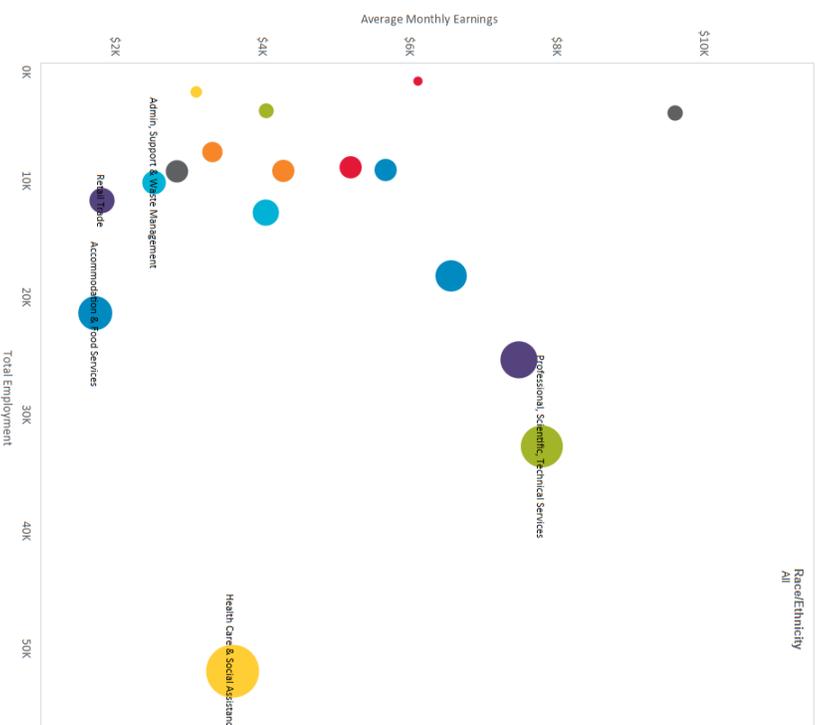
Percent of total employment in Minneapolis, by race/ethnic group.



YOU ASKED...

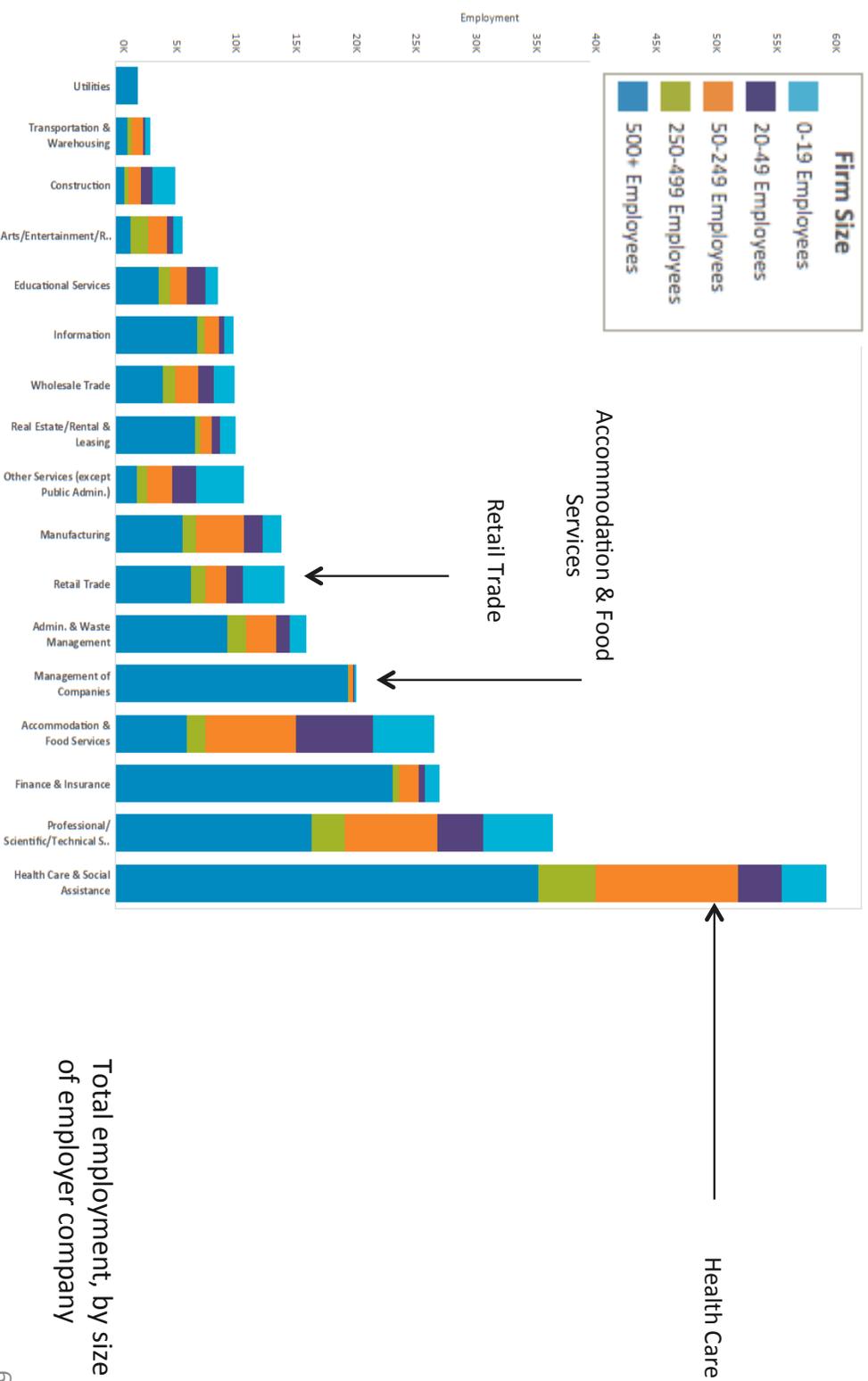
What's the distribution of employment & wages by industry?

The chart below shows total employment and average monthly wages for all Minneapolis employees. Size of bubble shows total industry employment.

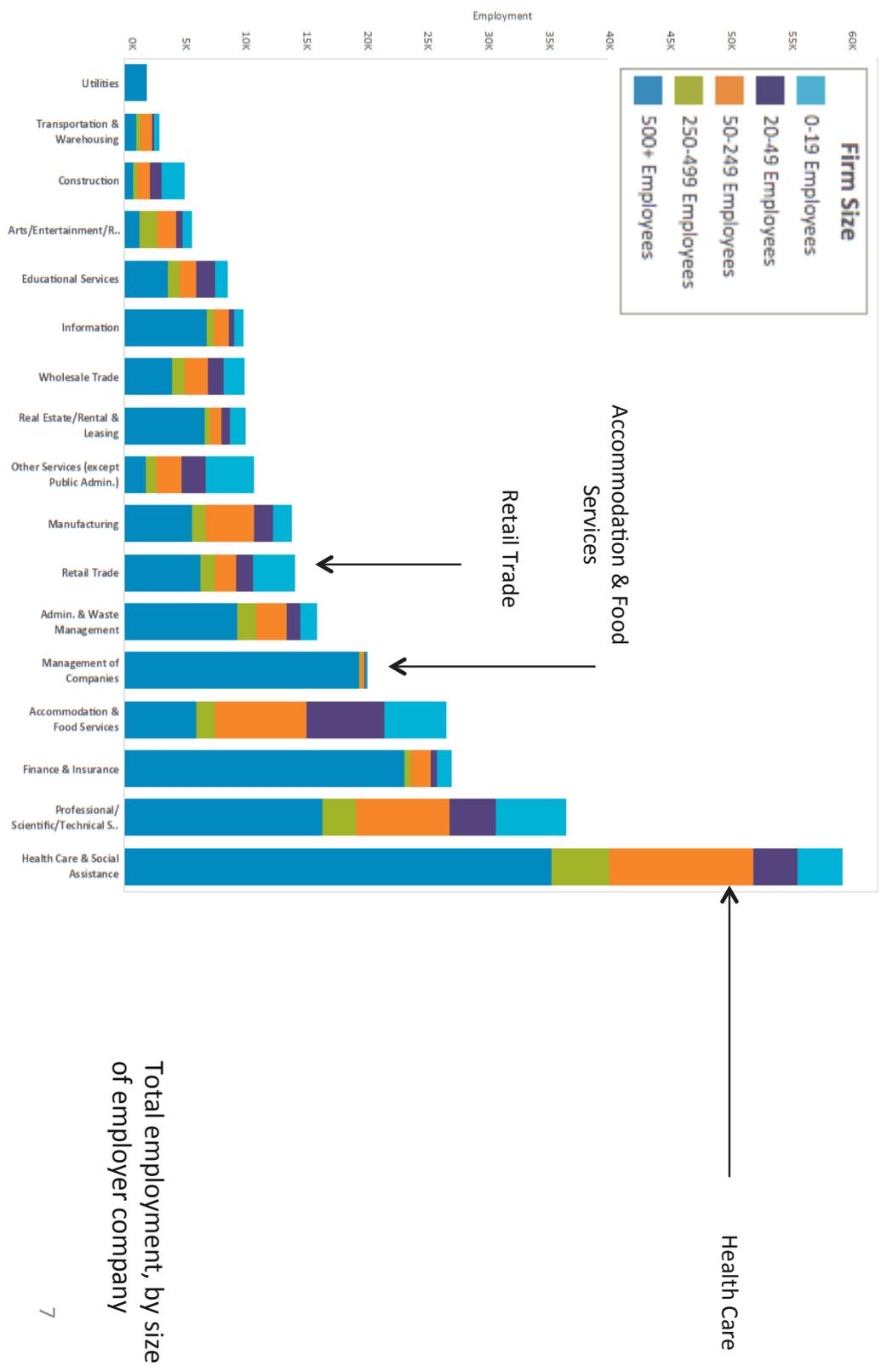


For workers employed in Minneapolis. Wages are nominal, not inflation-adjusted.

YOU ASKED... How many employers are there in the City of Minneapolis, sorted by industry and firm size?



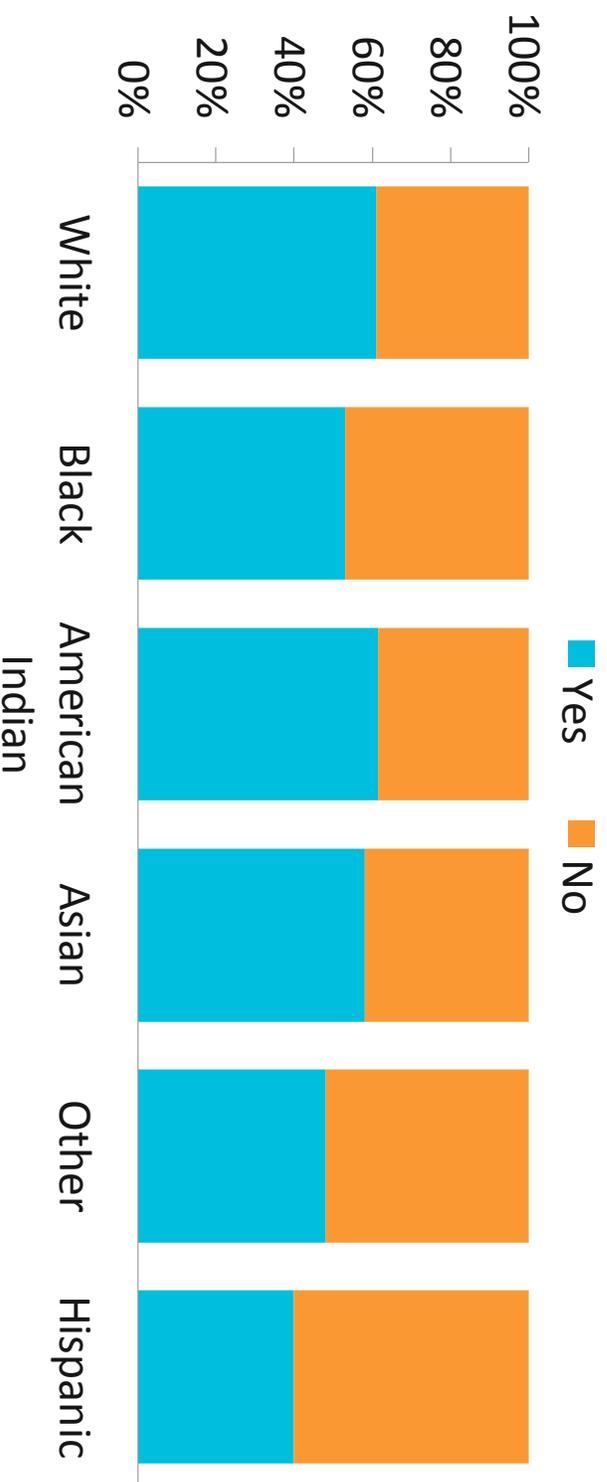
YOU ASKED... How many workers in the City of Minneapolis, sorted by industry and firm size?



YOU ASKED...

Do we know how many employees in Minneapolis may have access to sick leave, broken out by race?

Reliable estimates from State of MN and City of Minneapolis analysis suggest that about 41% of Minneapolis residents lack access to paid leave. The breakdown by race/ethnicity is:



*Race and ethnicity are mutually exclusive; Hispanic can be of any race.

ADDRESSING OUR OBJECTIVES

GUIDING OBJECTIVES

Improve Public Health

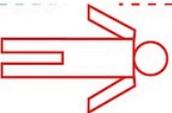


Employees who are ill impact the health of the general public.



They are likely to infect colleagues, customers and other people they interact with during the work day.

Improve Employee Health & Labor Conditions



Enabling employees to take time off allows them to adequately take care of themselves and their families.

A little more than 40% of Minneapolis employees have no access to paid time off. These employees are disproportionately low-wage and individuals of color.

Improve Business Climate for Attracting and Retaining Employees



Ensuring that workers have time off to tend to their own well-being is a significant talent attraction and retention tool, and contributes to a healthy work environment, increasing productivity and reducing turnover costs.

By setting a citywide standard, businesses working in Minneapolis will enjoy a competitive edge and strengthen employee relations.

Among the 302,236 employees working in Minneapolis, we want to focus on those who have no access to paid sick time (and who pose a health risk for themselves and others):

Higher Health Risk Work Settings

Lower-Wage Employees

Employees of Color

This solution might practically affect about **123,000** employees, most likely across **2000** businesses#.

#Rough calculations based on 41% “not covered” statistic from Mpls Dept of Health and calculation of number of employees by firm size to arrive at number of firms.

YOU ASKED...

What do we know about results in other jurisdictions that have passed such policies? What impact will this have on our regional economy?

- We have some comparative data from selected peer cities
- We know something about how Minneapolis' employees and job concentrations compare to peer cities
- We have examples of how other jurisdictions have approached issues, although no empirical evidence of outcomes



IMPLEMENTATION RESULTS

- General measures of economic trends do not suggest significant impacts from paid sick leave ordinances.



Seattle

- Total employers – trend (growth) unchanged
- Total employees – trend (growth) unchanged
- Total wages – slower growth; unrelated to ordinance



New York

- Unemployment – trend (decrease) unchanged
- Labor force participation – trend (growth) unchanged
- Total private sector employers – trend (growth) unchanged



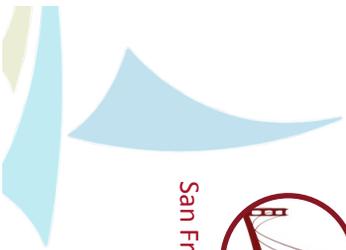
San Francisco

+



Washington, DC

- Equivalent metrics not reported

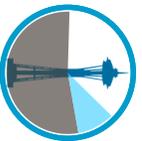


IMPLEMENTATION RESULTS

- Most employers were unaffected by requirements



San Francisco



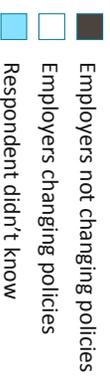
Seattle



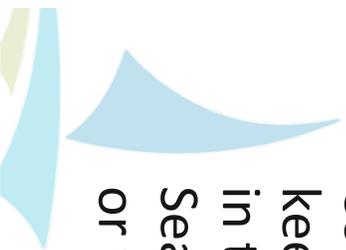
Washington, DC



New York



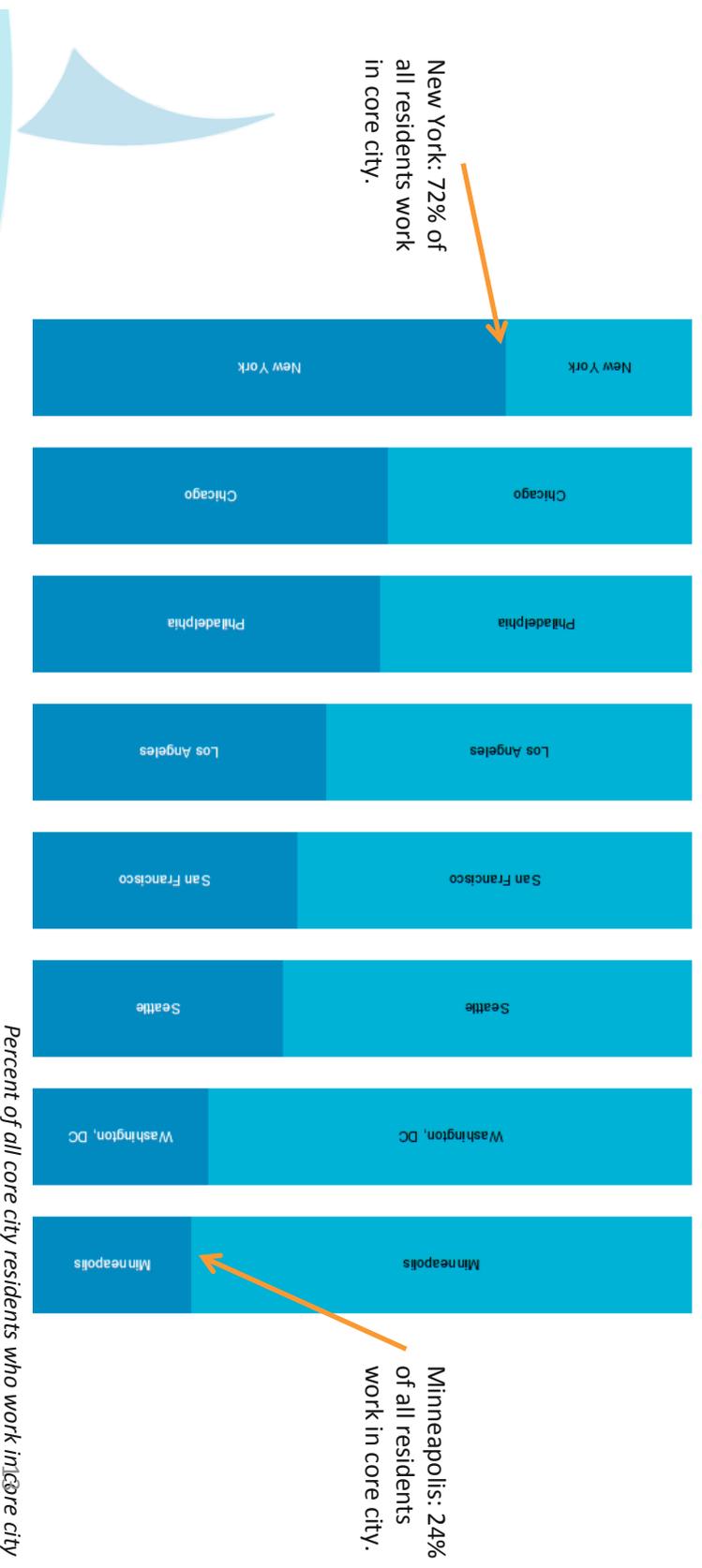
- In all cases, fewer than half of city employers were unaffected -- their existing policies and practices met the new standard.
- Compliance costs—such as those imposed by record-keeping or reporting requirements—are not well measured in the literature reviewed; however 31.52 percent of Seattle’s responding employers indicated it was “somewhat or very difficult”.



YOU ASKED...

How does Minneapolis's relationship to the regional economy compare to other "peer cities"?

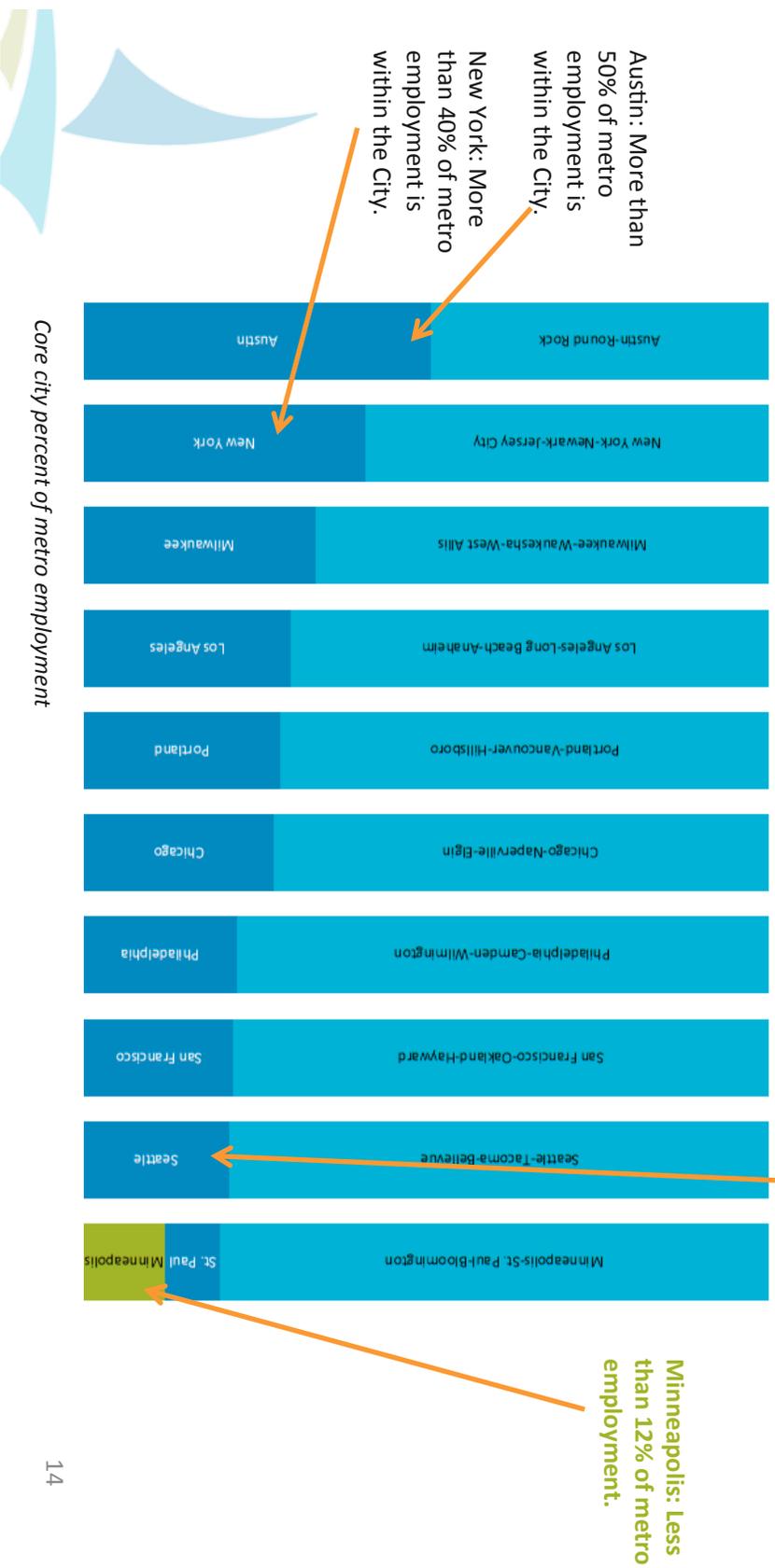
Minneapolis has a relatively smaller number of residents working within the City.



YOU ASKED...

How does Minneapolis's relationship to the regional economy compare to other "peer cities"?

Minneapolis has a relatively small share of metrowide employment...



Core city percent of metro employment

YOU ASKED...

How does Minneapolis's relationship among lower-income employees within the regional economy compare to other "peer cities"?

...but a change for Minneapolis employees could have significant impact on lower-income residents.



Percent of lower-income core city residents who work in core city

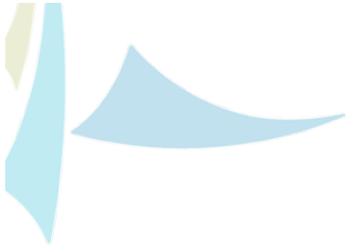


Exhibit E

Roster of additional materials shared with the Workplace Partnership Group

- Access to Paid Sick Time in Minneapolis, Minnesota, Institute for Women's Policy Research (IWPR), October 2015
- Access to Paid Sick Time in St. Paul, Minnesota, Institute for Women's Policy Research (IWPR), February 2016
- Audit of the Accrued Sick and Safe Leave Act of 2008, Office of the District of Columbia Auditor
- Contagion Nation: A Comparison of Paid Sick Day Policies in 22 Countries, Center for Economic and Policy Research (CEPR)
- Costs and benefits of paid sick leave: reviewing the research, Bell Policy Center, October 2011
- Disability Management Opportunities for Employer Action, Conference Board of Canada, October 2013
- The Effect of Mandatory Paid Sick Leave Policies, Freedom Foundation
- Get The Facts On Paid Sick Time, U.S. Department of Labor
- Good for Business? Connecticut's Paid Sick Leave Law, Center for Economic and Policy Research
- The Mind of the Food Worker—Behaviors and Perceptions that Impact Safety and Operations, Center for Research and Public Policy and Alchemy, October 2015
- NYC'S Paid Sick Leave Law, Five Year Milestones, NYC Department of Consumer Affairs (DCA), June 215
- Paid Sick Days: Attitudes and Experiences, NORC Public Welfare Foundation, June 2010
- Paid Sick Days: Good for Business, Good for Workers, National Partnership for Women & Families, August 2012
- Paid Sick Leave Does Not Harm Business Growth or Job Growth, Drum Major Institute for Public Policy, 2010
- Paid Sick Leave Health Impact Assessment, Vermont Department of Health, 2015
- Paid Sick Leave and Nonfatal Occupational Injuries, American Journal of Public Health, September 2012
- San Francisco's Paid Sick Leave Ordinance: Outcomes for Employers and Employees, Institute for Women's Policy Research (IWPR), February 2011
- Support for Paid Sick Leave and Family Policies, American Public Health Association
- Working Parents: What Factors are Involved in their Ability to Take Time off From Work When their Children are Sick? Archives of Pediatrics & Adolescent Medicine, August 1999

All available at: www.minneapolismn.gov/workplacepartnership