



## CITY OF SPRINGFIELD

Human Resources | Benefit & Leave Administration

# Oregon Sick Time Leave (OST)

Administrative Regulation | Protected & Special Leaves | #7.01

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Effective Date: March 7, 2023  
Revised Date: January 1, 2026  
Supersedes: March 7, 2023

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**Note:** Terms that are ***bolded and italicized*** the first time they appear in this regulation are defined below. After the first occurrence, defined terms appear in *italics only*.

## Purpose

Oregon employers are required to provide up to 40 hours of paid sick time per calendar year.

## Scope

All full-time, part-time, temporary, and seasonal employees are eligible to receive paid sick time.

## Policy

The City provides its employees with sick time leave or Paid Time Off (PTO) pursuant to Oregon law. The City's Sick Leave and PTO administrative regulations are deemed to be in substantial compliance with the minimum requirements of ORS 653.601 to 653.661. In the event of any conflict between this policy and applicable law, the law will be followed.

Employees are entitled to accrue and use up to forty (40) hours of paid ***protected time*** each year, provided the employee has accrued hours available to use.

Use of accrued sick leave or PTO hours may not be used until the employee has been employed for at least ninety (90) calendar days.

## Procedure

### 1. Oregon Sick Time – Permitted Uses

#### A. Qualifying Reasons

- a. An employee's mental or physical illness, injury, or health condition, including diagnosis, care, treatment, or preventive care.
- b. Care for a ***family member*** for any of the reasons listed in subsection (a.).
- c. To obtain legal or medical services related to domestic violence, sexual assault, or stalking.
- d. Recovery from or treatment for a health condition that prevents the employee from performing one or more essential job functions.

- e. Birth of a child, or placement of child through adoption, or foster care.
- f. Absences associated with the death of a *family member*.
- g. Closure of the employee's workplace by order of a public health official; isolation or quarantine required by a public health authority or healthcare provider; or exclusion from the workplace for health reasons under law or rule.
- h. Closure of a child's school or childcare provider is closed due to a public health emergency.
- i. A level 2 (SET) or level 3 (GO) emergency evacuation order affecting the employee's home or work location.
- j. A determination by an authorized public official that the air quality index or heat index levels jeopardize employee health.

## **2. Employee Notice and Scheduling Responsibilities**

### **A. *Foreseeable Leave***

- a. Employees must make reasonable efforts to schedule foreseeable sick leave in a manner that minimizes operational disruption.
- b. When the need to use sick time is foreseeable, employees must provide at least ten (10) days' advance notice.

### **B. *Unforeseeable Leave***

- a. When the need is unforeseeable, the employee must notify their supervisor as soon as practicable and follow department call-in procedures.

## **3. Timekeeping and Pay Requirements**

- a. Employees must code SIC (sick leave plans) or PTO (PTO Plans) when using time that qualifies under ***Oregon Sick Time (OST)***.
- b. When the absence qualifies as FMLA- and/or OFLA-protected leave, employees will be instructed to use the appropriate FMLA/OFLA timesheet codes.
- c. For employees on the PTO, the first forty (40) hours of PTO used in a calendar year are designated as *OST*, regardless of the stated reason for use.
- d. *OST* is paid at the rate the employee would have earned if they had they had worked the scheduled hours.

## **4. Employer Operational Flexibility**

- a. The City may offer additional hours or shifts during the same week to an employee who has called in sick.

- b. Additional hours or shifts voluntarily worked may replace hours missed without requiring use of accrued sick leave.

**5. Employer Notice**

- a. A statement of the employee’s sick leave accrual, usage , and balance will be provided on each payroll statement.

**6. Medical Verification**

- a. The City may require medical verification when an employee uses more than three (3) consecutive days of sick leave.
- b. Use of leave for purposes not covered by law may be considered abuse of sick leave, and medical verification may be required for shorter absences.

**7. Restoration**

- a. Employees rehired within one hundred eighty (180) days of separation will have their *OST* balance restored and receive credit for any previously completed portion of the ninety (90) day waiting period.

Employees rehired after more than one hundred eighty (180) days are treated as new employees for *OST* purposes.

**Definitions**

<b>Term:</b>	<b>Definition</b>
<b><i>Family member:</i></b>	Defined to include any of the following persons in relation to the employee: <ul style="list-style-type: none"> <li>• A spouse or domestic partner;</li> <li>• A biological, adoptive, or foster parent;</li> <li>• A biological, adoptive, step, foster, or the child of domestic partner;</li> <li>• A grandparent;</li> <li>• A grandchild;</li> <li>• A parent-in-law; or</li> <li>• An individual with whom the employee is or was in a relationship of <i>in loco parentis</i>.</li> </ul>
<b><i>Foreseeable Leave:</i></b>	Sick leave that the employee knows about in advance, such as a scheduled medical appointment or planned treatment.
<b><i>Oregon Sick Time (OST):</i></b>	Paid leave required under Oregon law that may be used for qualifying reasons and accrued or designated in accordance with state statute and this regulation.

***Protected Time:*** Leave for which the employee has a legal right when qualifying criteria are met. The City will not interfere with, discourage, or retaliate against an employee for the lawful use of protected leave. Employees have the right to return to work in accordance with applicable law following protected leave.

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***Unforeseeable Leave:*** Sick leave that cannot reasonably be anticipated in advance, including sudden illness, injury, or emergency circumstances.

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## **Related Resources**

*Legal Resources:*

- [ORS 653.601 to 653.661](#) – Sick Leave
- [OAR 839-007](#) – Oregon Sick Time