

MOTION TO AMEND ORDINANCE 18-009-O

BY COUNCILOR ANDERSON:

I move to amend Ordinance 18-009 as follows (proposed amendment **in red**):

Section 1. That the Duluth City Code is hereby amended by adding following Chapter 29E to read as follows:

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Sec. 29E-3 Earned sick and safe time.

(a) Employees shall earn and accrue earned sick and safe time at the commencement of employment. For individuals who are employed on the date this ordinance takes effect, accrual shall begin on the date this ordinance takes effect.

(b) From the date earned sick and safe time begins to accrue for an employee, the employee shall accrue one hour of earned sick and safe time for every **40-50** hours worked. Earned sick and safe time shall accrue only in hour-unit increments; there shall be no accrual of a fraction of an hour of earned sick and safe time.

(c) Employers will permit an employee to accrue up to 64 hours of earned sick and safe time per year. Employers shall permit an employee to carry over up to 40 hours of earned but unused sick and safe time into the following year.

(d) An employer may satisfy the requirements of this Chapter by providing at least 40 hours of earned sick and safe time following the initial 90 days of employment for use by the employee during the first year, and providing at least 40 hours of earned sick and safe time beginning each subsequent year. If an employer has a substantially equivalent paid-leave policy, such as a paid-time-off policy, or a combination of sick and

vacation time, that makes available to employees an amount of paid leave that may be used for the same purposes and under the same conditions as earned sick and safe time under this Chapter and that is sufficient to meet the requirements for earned sick and safe time as stated in subsections (a)-(c) of this section, the employer is not required to provide additional earned sick and safe time. Satisfaction of subsections (a)-(c) may be made through any combination of sick, vacation, or paid time off.

(e) An employer may opt to satisfy the requirements of this chapter for construction industry employees working on private or public projects by either:

(1) Paying at least the prevailing wage rate as defined by Minnesota Statutes, Section 177.42 and as calculated by the state department of labor and industry; or

(2) Paying at least the required rate established in a registered apprenticeship agreement for apprentices registered with the state department of labor and industry.

(f) An employer is not required to provide financial or other reimbursement to an employee upon the employee's termination, resignation, retirement, or other separation from employment for earned sick and safe time that the employee has accrued but not used.

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