



Legislation Details (With Text)

File #: 19-052-O **Name:**
Type: Ordinance **Status:** Passed
File created: 10/22/2019 **In control:** Committee of the Whole
On agenda: 12/9/2019 **Final action:** 12/16/2019
Title: AN ORDINANCE AMENDING CHAPTER 29E, AS AMENDED, RELATING TO EARNED SICK AND SAFE TIME IN THE CITY OF DULUTH.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/16/2019	1	City Council	adopted	
12/9/2019	1	City Council	read for the first time	

AN ORDINANCE AMENDING CHAPTER 29E, AS AMENDED, RELATING TO EARNED SICK AND SAFE TIME IN THE CITY OF DULUTH.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1: That Chapter 29E, as amended, is hereby amended to read as follows:

Sec. 29E-2(c) Child. Child means Employee's biological, adopted, step or foster child, legal ward or child for whom the employee is legal guardian regardless of age.

Sec. 29E-2(e) Earned sick and safe time. Earned sick and safe time means leave, including paid time off and other paid-leave systems, paid at the same hourly rate as an employee earns from employment that may be used for the same purpose as prescribed in Sec. 29E-34.

Sec. 29E-3(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 50 hours worked within the geographic boundaries of the city. 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.

Sec. 29E-3(g) An employer is only required to allow an employee to use earned sick and safe time that is accrued pursuant to this ordinance when the employee is scheduled to perform work within the geographic boundaries of the city. An employer may allow use of accrued earned sick and safe time when an employee is scheduled to perform work for the employer outside of the city.

Sec. 29E-6(f) The city clerk's office shall create and make available to employers a poster and a model notice, hereinafter referred to as the "notice," for their use in complying with this subsection.

Sec. 29E-6(g) Employers may comply with this section by displaying the notice in a conspicuous,

accessible, and readily visible place in each establishment where such employees are employed.

Sec. 29E-7(a) Employer shall retain accurate records documenting hours worked by employees, number of earned sick and safe hours accrued and ~~time~~ number of hours taken used by employees for earned sick and safe time purposes over a period of three years.

Sec. 29E-10(a) Report of violation. An employee or other person may report to the city clerk's office any suspected violation of this chapter. A report of a suspected violation may be filed only if the matter complained of occurred after the effective date of this Chapter and within one year of ~~filing of the report~~ the suspected violation.

Sec. 29E-15 Exercise of rights; retaliation prohibited.

- (a) It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this chapter.
- (b) An employer shall not take any adverse employment action or in any other manner discriminate against an employee because the employee has exercised in good faith the rights protected under this chapter. Such rights include but are not limited to the right to use earned sick and safe time pursuant to this chapter, the right to file a complaint, or filing an action to enforce a right to use earned sick and safe time under this chapter.

STATEMENT OF PURPOSE: This ordinance amends Chapter 29E of the Duluth City Code to clarify the extraterritorial reach of the ordinance, to elaborate upon the notice requirement of the ordinance, and to add further detail to the administration and enforcement of earned sick and safe time.