

November 21, 2017

MEMORANDUM

To: CRUEDA Committee
From: Patricia Lee, Council Central Staff
Attachments A and B to this memo were prepared by OLS and SDHR
Subject: Paid Sick and Safe Time Leave

November 28, 2017 the CRUEDA committee will consider and possibly vote on two ordinances relating to Paid Sick and Safe Time (PSST) and Secure Scheduling for employees.

Paid Sick and Safe Time.

There are three pertinent pieces of legislation that define employee's PSST benefits.

- The City of Seattle Paid Sick and Safe Time (PSST) ordinance, passed in 2015 applies to employers and employees in the City of Seattle. SMC 14.16.010 et. seq.,
- The City of Seattle paid sick leave benefit for its employees. SMC 4.24.010 et. seq.
- The Statewide PSST benefit that takes effect on January 1, 2018. Initiative 1433 (I 1433)

The two ordinances before the CRUEDA committee are the:

- Office of Labor Standards (OLS) ordinance to reconcile the City's PSST ordinance with I-1433 Tmp 3723
- Seattle Department of Human Resources (SDHR) ordinance to reconcile the City of Seattle's sick leave benefit for its employees with I-1433. Tmp 3683

The OLS ordinance also makes technical corrections to the City's Secure Scheduling ordinance.

OLS and SDHR have provided a detailed list and explanation of the proposed changes. What follows below is a framework for how to consider the effect of I-1433 on the City's PSST ordinance and City of Seattle employee's sick leave benefit. The changes fall into two categories:

1. Provisions in the existing PSST and City of Seattle employee's sick leave benefit that must be changed to conform to the benefit provided in I-1433. Examples include, redefinition of family, and no cap on accrual of PSST. The full list is on Attachment A to this memo.
2. Provisions in the existing PSST and City of Seattle employee's sick leave benefit that will remain more generous and/or different than the I-1433 requirements. I-1433

specifically says local jurisdictions may provide more generous benefits. Therefore, City of Seattle employers must provide the provisions of PSST even if it exceeds what is required by I-1433. Examples include providing more PSST hours for City employees who work for employers with more than 500 employees and providing more sick leave hours for City of Seattle employees than I-1433 requires. Note, the existing PSST differentiates the PSST benefit employees earn by the size of the employer they work for. I-1433 and the City of Seattle employee sick leave benefit do not make this differentiation. The full list is on Attachment B to this memo.

Attachments A and B were prepared by OLS and SDHR.

Secure Scheduling

The OLS ordinance also makes a technical correction to the Secure Scheduling ordinance, SMC 14.22.010 to update the ordinance references to the North American Industry Classification System (NAICS) codes used in the ordinance to define food service and retail establishments. The Secure Scheduling ordinance applies to retail and food services establishments that employ 500 or more employees worldwide. NAICS classifies business establishments for the purpose of collecting, analyzing and publishing statistical data related to the U.S. economy. NAICS codes are also used for administrative, contracting and tax purposes.

The proposed change is noted in the chart below.

Issue	Current Legislation	Proposed Amendments
Definitions – Food Services and Retail Establishments	Food services establishment = 722, 2012 NAICS Code Retail establishment = 441 through 453998, 2012 NAICS Code	Same numbers with reference to <i>2017 NAICS Codes and subsequent NAICS Codes</i>

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