

COVID: Employee Rights

“Employers are not required to ask for doctor’s notes to take sick time. It is an option for employers after three consecutive days of sick leave, but in the midst of this pandemic, our healthcare professionals need to focus on genuine medical emergencies. Current CDC guidance for businesses is to actively encourage employees to stay home – and not to require a healthcare provider’s note for employees who are sick.” -Oregon.gov

Currently the CDC recommends that anyone with a cough and/or fever stay home and self-treat. If symptoms are severe, they should seek medical care but call facility or 911 first. Do not attend work until symptoms resolve and practice social Distancing. They may return to work/school when Symptoms of cough and/or fever have resolved for 72 hours.

<https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>

In 2015 the Oregon legislature passed SB 454 requiring all employers to allow employees to earn and use up to 40 hours of protected sick time each year. The law went into effect in January 2016. Nearly every employer in Oregon must comply with the law. All employers must provide up to 40 hours of unpaid protected sick time per year. Employers that employ at least 10 employees in Oregon (six if the employer has operations in Portland) must provide that protected sick time with pay. An employee may not be disciplined or terminated for taking protected sick time.

https://www.oregon.gov/boli/TA/Pages/T_FAQ_OregonSickTime.aspx

An employer may not request a “sick” note if the employee has not missed more than 3 consecutive workdays unless in extreme circumstances dictated on the Oregon.gov website.

If you require more information regarding this patient, please present your employee the necessary paperwork for our healthcare workers to fill out. Please ensure that paperwork complies to all federal and state standards and does not breach HIPAA requirements.

“NOTE: The employer is required to pay any associated costs for providing medical verification or certification, including lost wages that are not paid under a health benefit plan in which the employee is enrolled.” -Oregon.gov

Our patient’s civil rights matter to us. If you believe your civil rights have been violated please visit Oregon.gov to file a complaint.

https://www.oregon.gov/boli/CRD/Pages/C_Crcompl.aspx