

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on Upon filing by the Bureau of Labor and Industries 839

Agency and Division	Administrative Rules Chapter Number
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Address

To become effective Upon filing. Rulemaking Notice was published in the November 2013 Oregon Bulletin.

**RULE CAPTION**

Amending rules in Division 839-009 to add new statutory provisions, add leave form, housekeeping edits

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:**

839-009-0210, 839-009-0230, 839-009-0240, 839-009-0250, 839-009-0270, 839-009-0280, 839-009-0325, 839-009-0330, 839-009-0340, 839-009-0362, 839-009-0363, 839-009-0380, 839-009-0430

839-009-0345  
9/11/14

**REPEAL:**

839-009-0390  
9/11/14

**RENUMBER:**

**AMEND AND RENUMBER:**

**Statutory Authority:**

ORS 659A.805

**Other Authority:**

**Statutes Implemented:**

ORS 659A.150-659A.186, 659A.043, 659A.046, H.B. 2950, 77th Leg., Reg. Session (Or. 2013), ORS 659A.270-659A.285, H.B. 2903, 77th Leg., Reg. Session (Or. 2013), ORS 659A.090-659A.099, H.B. 3263, 77th Leg., Reg. Session (Or. 2013)

**RULE SUMMARY**

Amendments to 839-009-0210, 839-009-0230, 839-009-0240, 839-009-0250 implement newly enacted legislation on OFLA.

Further amendments to 839-009-0210 are for housekeeping and to make the definition of health care provider consistent with the statutes.

Amendments to 839-009-0270 clarify that employer payment of health benefits is an employer option for OFLA-only leave.

Amendments to 839-009-0280 replace "available" paid leave with "accrued" paid leave for clarification.

Amendments to 839-009-0325, 839-009-0340, 839-009-0362, 839-009-0363 implement newly enacted legislation regarding public employers with respect to victims under this section.

Amendments to OAR 839-009-0325 and 839-009-0330 clarify what posting is required under newly enacted legislation. Currently 839-009-0325 and 839-009-0330 do not include a posting requirement for ORS 659A.170 to 659A.285. Newly amended legislation creates this requirement.

Amendments to 839-009-0340 reflect newly enacted legislation and create consistency among the definitions of victim. Currently OAR 839-009-0340 includes definitions which are no longer consistent with newly enacted legislation. It also currently contains a definition of Victim of

Harassment that is not consistent with definitions of Victim of Domestic Violence, Victim of Sexual Assault, and Victim of Stalking.

Amendments to 839-009-0340 and 839-009-0380 remove the word "calendar" in reference to year to be consistent with the statutes.

Amendments to 839-009-0430 include an example request form for OMFLA which a covered employee may provide.

Amendments to 839-009-0210, 839-009-0340, and 839-009-0380 adding a definition of spouse.

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<p><b>FILED</b> 12-31-13 3:04 PM ARCHIVES DIVISION SECRETARY OF STATE</p>
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