

# Requesting Family and Medical Leave

An employee must follow agency procedures to request leave.

Thirty (30) days advance notice is generally required for a planned absence under FMLA and OFLA. In the event of an emergency, an employee should contact his or her supervisor or the agency's human resources office as-soon-as-possible.

Depending on the leave type, an agency may require an employee to provide certification verifying the need for leave.

## Resources

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- State HR Policy - Family and Medical Leave (60.000.15)
- Collective Bargaining Agreement (when applicable)

### Posted in your work area

- Bureau of Labor and Industries (BOLI) - Oregon Family Leave Act, Notice to Employers and Employees
- US Department of Labor - Employee Rights Under the Family and Medical Leave Act



## Contact Us

Agency Contact Information  
Human Resources Office

# Understanding Family and Medical Leave

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Federal and state laws protect an employee's absence from work under certain conditions.



## Under FMLA and OFLA

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Under most circumstances, an eligible employee is allowed up to twelve (12) weeks of FMLA and OFLA for parental leave, or to tend to the employee's own serious health condition, or the serious health condition of the employee's spouse, parent, or child (under 18 years of age).

### Under FMLA

An employee may use the twelve (12) week entitlement for FMLA Qualifying Exigency Leave resulting from an employee's spouse, parent, or child (no age limit) call to active duty in the military.

An employee is allowed up to twenty-six (26) weeks of Military Caregiver Leave to care for the employee's spouse, parent, child or next of kin who is a covered service member who has a serious illness or injury incurred in the line of duty on active duty.

*"An eligible employee is allowed up to twelve (12) weeks of FMLA and OFLA leave per rolling calendar year."*

### Under OFLA

OFLA also allows an employee to use his or her twelve (12) week entitlement to tend to the serious health condition of his or her child (any age), parent-in-law, grandparent, grandchild, same-sex domestic partner and the child or parent of the employee's same-sex domestic partner, or to tend to the employee's child under 18 with a non-serious health condition requiring home care.

An eligible female employee who takes any amount of OFLA leave for pregnancy disability may take up to twelve (12) weeks additional OFLA leave for any OFLA purpose.

An eligible employee using twelve (12) weeks of OFLA Parental Leave may take up to another twelve (12) weeks of leave under OFLA to care for a sick child with a non-serious health condition.

OFLA also allows an employee to use his or her twelve (12) week entitlement for OFLA Military Family Leave (up to 14-days per deployment) which is leave an employee may take when his or her spouse or domestic partner is notified of an impending call; order to active military duty or on active duty; before deployment; or during respite from active duty during deployment.



In addition, OFLA allows an employee to take two (2) weeks of bereavement leave for the death of a covered family member. The leave can be for attending the funeral, making arrangements, or grieving.

## Eligibility

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### Federal Family and Medical Leave Act (FMLA)

An employee must work for the State of Oregon for twelve (12) months (with no more than a seven year break in service) and work 1,250 hours during the 12-month period immediately preceding the leave.

### Oregon Family Leave Act (OFLA)

**Parental Leave:** employee must be employed for the State of Oregon at least 180 calendar days immediately preceding the date the leave begins.

**Serious Health Condition or Sick Child leave:** employee must be employed for the State of Oregon at least 180 calendar days immediately preceding the date the leave begins AND work an average of 25-hours per week.

**Military Family Leave:** employee must be employed for the State of Oregon an average of 20-hours per week (no 180 day requirement).