



VAL HOYLE
Labor Commissioner

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Oregonians can take protected time off to care for kids doing distance learning

The Oregon Family Leave Act (OFLA) provides protected time off of work for parents or guardians caring for children whose school or childcare provider is closed because of the pandemic. “Closed” includes schools that have transitioned to distance learning or a hybrid online and in-person model.

“Parenting in a pandemic while working is an unexpected challenge that so many people are facing,” says Hoyle. “This burden is unsustainable. Parents – you should know that you can take protected time off of work to help your kids through distance learning or take care of them if your childcare provider is closed.”

Oregon Labor Commissioner Val Hoyle issued permanent rules this month to continue to allow Oregonians to take protected time off of work to care for children during the pandemic. She issued an initial emergency rule in March.

“We are in this together for the long haul,” Hoyle says.

More information about Oregon Family Leave

You can take up to 12 weeks of Oregon Family Leave time per calendar year using “sick child leave.” If you have sick time or other paid time saved up, you can use that, but otherwise this time is generally unpaid.

OFLA sick child leave may be taken “intermittently,” which means you can take time off all in one chunk or break it up, such as two days a week.

Your job is protected while you are off work. That means your employer must keep providing you with the same level of healthcare benefits as when you are working, and you must be returned to your old job or a similar position if your old job doesn’t exist anymore.

More information and FAQ available at <https://www.oregon.gov/boli/ofla>.

To be eligible, you must have worked an average of 25 hours per week for 180 days and your employer must have at least 25 employees.

How do I use Oregon Family Leave (OFLA) protected time off?

1. Give your employer notice that you will be taking Oregon Family Leave. You are required to give written notice 30 days in advance of taking time off, unless it is impractical to do so or if the leave is taken for an emergency.



2. Take your time off, either in a chunk or intermittently.
3. Use any paid time you have accrued if you want to, otherwise this time is likely unpaid. Your employer can require you to use paid time you have while on OFLA leave.
4. You should be prepared to provide: the name of the child/children you are caring for, the name of the school or childcare provider that has closed or become unavailable, a statement affirming that no other family member is willing and able to care for the child. If you will be caring for a child older than 14 during daylight hours, a statement that special circumstances exist requiring the you to provide care.

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