



Oregon

Tina Kotek, Governor

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MEMORANDUM

To: Agency Heads and Agency Human Resources Directors
From: Jessica Knieling, Chief Human Resources Office
Date: March 21, 2024
Subject: Addendum F – Family and Medical Leave, 60.000.15

Emboldened and italicized text reflects revisions and additions to current policy language.

Policy Statement:

As of March 2, 2024, the Executive Branch of state government modifies the Family and Medical Leave policy to include protected leave taken towards the Oregon Family Leave Act (OFLA) for eligibility.

Policy Authority: ORS 240; ORS 659B.020; OAR 839-090-0210

Applicability: All employees (including temporary employees) when not in conflict with an applicable collective bargaining agreement.

Attachments: None

Policy Amendments

Effective March 2, 2024, Family and Medical Leave policy 60.000.15 is amended as follows:

(8) Eligibility for leave: The agency determines eligibility for leave using the chart below. Eligibility is not pro-rated for part-time employees.

- (a) ***To determine eligibility for FMLA, the agency counts:***
- i. Hours the employee actually worked (not hours while on paid or unpaid leave),
 - ii. Hours worked in another state agency,
 - iii. Hours worked as a temporary employee (state or Qualified Rehabilitation Facility temp) for a state agency,
 - iv. Military leave- time (per federal USERRA law and State HR Policy 60.000.25 Military Leave), and
 - v. Hours spent performing union business.
- (b) ***To determine eligibility for OFLA, the employer must count:***
- i. Hours the employee actually worked (not hours while on paid or unpaid leave),
 - ii. Hours worked in another state agency,
 - iii. Hours worked as a temporary employee (state or Qualified Rehabilitation Facility temp) for a state agency,
 - iv. Military leave- time (per federal USERRA law and State HR Policy 60.000.25 Military Leave), and
 - v. Hours spent performing union business,
 - vi. Hours paid to an employee by workers compensation, and
 - vii. Hours of protected leave taken, including OFLA leave.***

Questions should be sent to CHRO.Policy@oregon.gov.