



# Oregon

Governor Kate Brown

## Department of Administrative Services

Office of the Chief Human Resources Officer

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### MEMORANDUM

**To:** Agency Heads and Agency Human Resources Directors

**From:** Madilyn Zike, Chief Human Resources Officer

**Date:** April 1, 2020

**Subject:** Addendum B – Family and Medical Leave,  
60.000.15

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

#### **Policy Statement:**

*As of April 1, 2020, the Executive Branch of state government modifies the Family and Medical Leave policy to include expanded use of family and medical leave under the Federal Family and Medical Leave Act for the period of April 1, 2020 through December 31, 2020.*

**Policy Authority:** Families First Coronavirus Response Act

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

**Attachments:** None

#### **Policy Amendments**

Effective April 1, 2020, Family and Medical Leave policy 60.000.15 is amended as follows:

#### ***Definitions:***

***Child care provider: A provider who receives compensation for providing child care services on a regular basis. This is for the purposes of FMLA only.***

***Public Health Emergency: COVID-19***

***(1) Qualifying purposes under FMLA***

***Child Care Leave: If an employee is unable to work or telework and needs to care for their own child (under the age of 18) if there is a school closure, place of care is closed, or the child-care provider is unavailable due to a public health emergency.***

***(c) Paid FMLA***

- A. The first 10 days for which an employee takes Child Care Leave may be unpaid leave. However, the employee may elect to substitute accrued vacation, personal, or sick leave (including Emergency Paid Sick Leave) for unpaid leave.***
- B. After 10 days, the employee shall receive paid leave at their normal rate of pay.***
- C. If teleworking, an employee may take leave in any agreed upon increment.***
- D. If not teleworking, intermittent leave may be taken when a schedule has been agreed upon between the agency and employee. Leave must be in full-day increments.***

***(4) Employees Eligible for FMLA***

***To qualify for FMLA Child Care leave the employee must have been employed for at least 30 days.***

Questions should be sent to [CHRO.Policy@oregon.gov](mailto:CHRO.Policy@oregon.gov).