



SUBJECT: Paid Leave Oregon	EFFECTIVE: October 2023 REVIEWED: REVISED: November 2023
CATEGORY: 200 (Personnel) POLICY NUMBER: 200.21	CROSS REFERENCE: Family Medical Leave 200.20

Purpose

To comply with Oregon’s paid leave program – Paid Leave Oregon (PLO) and to provide information to employees about eligibility and accessing this benefit.

The city's Paid Leave Oregon policy combines benefits required by PLO, the federal Family and Medical Leave Act (FMLA), and state law (OFLA).

Eligibility

Within the base year (defined by Paid Leave Oregon), employees must have worked for an Oregon employer, earned \$1,000 or more, and paid program contributions.

Qualifying Reasons for Leave

Medical Leave: Leave to tend to the employee’s own serious health condition including physical or mental illnesses or injuries. This includes pregnancy, childbirth, miscarriage, and stillbirth. Medical leave also includes serving as an organ or tissue donor.

Family Leave: Leave to care for and bond with a child in the first year after birth, adoption, or foster care placement or to care for a family member with a serious health condition. Family member is defined in the city’s Family & Medical Leave policy 200.20.

Safe Leave: Leave to seek treatment or services if the employee or their child experiences sexual assault, domestic violence, harassment, stalking, or bias crimes.

Duration of Leave

Twelve work weeks (480 hours during a rolling 12-month period computed from the date the employee first uses paid leave). Paid leave is pro-rated for employees working less than 40 hours per week. Additional leave may be available for employees who experience health issues related to childbirth.

Paid leave is available for consecutive leave or intermittent leave but does not include coverage for partial-day absences.

Rolling 12-Month Leave Period

The leave calculation year for PLO is 52 weeks beginning on the Sunday immediately preceding the date family leave commences. Each time the employee uses family leave, the employee's remaining entitlement is the balance of the 12 work weeks which has not been used since the leave started.

Continuation of Benefits

During approved PLO leave, the city will maintain the employee's health coverage under the city's group health plan on the same terms as if the employee had continued to work.

Employees who have leave balances available must use a minimum number of leave accrual hours to cover the employee's share of benefit deductions. Payroll and HR will collaborate to provide this number to the employee.

Employees who exhaust their paid leave banks while on PLO will set up a payment plan with payroll upon their return to reimburse the city of the employee's cost of benefits.

Benefit Amount

The benefit amount for PLO is determined by the Oregon Employment Department using a calculation of your average weekly wage and the state average weekly wage. Benefits may cover up to 100% of your average weekly wage.

Employees may use paid leave accruals of up to 100% of the hours in the pay period while accessing PLO. The city will apply paid leave accruals of 100% of hours unless otherwise requested by the employee.

Notice

When leave is anticipated, written notice must be provided at least 30 calendar days prior to the start of leave. "Anticipated" refers to an employee having knowledge at least 30 calendar days in advance.

When leave is unanticipated, verbal notice must be provided within 24 hours of starting leave.

Responsibilities

Employees:

- Notify the supervisor and HR when leave may potentially qualify for PLO.
- Notify the supervisor and Payroll if use of leave accruals should be reduced.

Supervisors:

- Notify HR and the employee when an employee may be on a leave that would qualify as PLO.
- Avoid asking specific questions about the employee's health condition.
- Keep all information related to the employee's health condition confidential.
- Assist the employee with recording time/leave during their absence.

Human Resources:

- Respond to requests for information from the Oregon Employment Department.
- Inform employees about PLO eligibility and minimum hours requirements.

- Notify employees nearing the end of protected leave.

Payroll:

- Calculate the value of employee-paid benefits and determine the minimum number of leave hours that must be used to pay for continued benefits.