74th OREGON LEGISLATIVE ASSEMBLY - 2007 Regular Session   **MEASURE:**   **HB 2460 A**
STAFF MEASURE SUMMARY   **CARRIER:**   **Sen. Avakian**
Senate Committee on Commerce

REVENUE: No revenue impact
FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	4 - 1 - 0
Yeas:	Avakian, Gordly, Monroe, Prozanski
Nays:	Beyer
Exc.:	0
Prepared By:	Anna Braun, Administrator
Meeting Dates:	5/23, 5/30

WHAT THE MEASURE DOES: Excludes leave taken by an employee who is unable to work because of a disabling compensable injury from the definition of "family leave" in workers' compensation law. Clarifies that a covered employer may not reduce the amount of an employee's available family leave when the employee is unable to work because of a disabling compensable injury. Allows employee the option to use family leave.

ISSUES DISCUSSED:
- Intent of the Oregon Family Leave Act
- Purpose of workers' compensation
- Hardship for businesses

EFFECT OF COMMITTEE AMENDMENT: Allows employee the option to use family leave.

BACKGROUND: Under the Oregon Family Leave Act (OFLA), workers are entitled to a maximum period of twelve weeks of family leave within any one-year period. The Act outlines the purposes for which family leave can be taken, such as caring for a newborn child, tending to a family member with a serious health condition, and recovering from a serious health condition that renders the worker unable to perform at least one of the essential functions of the worker's regular position.

Currently, Oregon law does not have any provisions regarding whether an employer can or cannot use family leave time to cover a job related injury that is covered under workers' compensation law. HB 2460-A clarifies that family leave cannot be applied to an employee who cannot work due to a "disabling compensable injury" as stated on an accepted workers' compensation claim. HB 2460-A also clarifies that an employee retains the option to use family leave.

This summary has not been adopted or officially endorsed by action of the committee.
Committee Services Form – 2007 Regular Session