

Enrolled House Bill 2485

Sponsored by Representatives ROSENBAUM, TOMEI; Representatives BEYER, DINGFELDER, D EDWARDS, GALIZIO, GREENLICK, KRIEGER, NOLAN, OLSON, Senators BROWN, BURDICK, WALKER

CHAPTER

AN ACT

Relating to paid sick leave for employees taking family leave; creating new provisions; and amending ORS 659A.174.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 659A.174 is amended to read:

659A.174. (1) Except as provided in [*subsections (2) and (3)*] **subsection (2)** of this section, and unless otherwise provided by the terms of an agreement between the eligible employee and the covered employer, a collective bargaining agreement or an employer policy, family leave is not required to be granted with pay.

(2) An employee [*on*] **taking** family leave is entitled to [*utilize*] **use any paid accrued sick leave or any paid accrued vacation leave** during the period of family leave, or to [*utilize*] **use** any other paid leave that is offered by the employer in lieu of vacation leave during the period of family leave.

[(3) *An employee taking family leave for the purpose specified in ORS 659A.159 (1)(a) is entitled to utilize any paid accrued sick leave in addition to paid leave that may be utilized under subsection (2) of this section.*]

[(4)] **(3)** Subject to the terms of any agreement between the eligible employee and the covered employer or the terms of a collective bargaining agreement, the employer may determine the particular order in which accrued leave is to be used in circumstances in which more than one type of accrued leave is available to the employee.

[(5) *Except as provided by subsection (3) of this section, ORS 659A.150 to 659A.186 do not require an employer to provide or allow the use of any form of paid sick leave, paid medical leave or paid family leave in any situation in which the employer would not normally provide or allow use of paid sick leave, paid medical leave or paid family leave.*]

SECTION 2. The amendments to ORS 659A.174 by section 1 of this 2007 Act apply only to periods of family leave taken on or after the effective date of this 2007 Act.

Passed by House April 16, 2007

.....
Chief Clerk of House

.....
Speaker of House

Passed by Senate June 1, 2007

.....
President of Senate

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

.....
Governor

Filed in Office of Secretary of State:

.....M,....., 2007

.....
Secretary of State