

**A-Engrossed**  
**House Bill 2635**

Ordered by the Senate June 11  
Including Senate Amendments dated June 11

Sponsored by Representative HUNT; Representatives COWAN, GREENLICK

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Allows eligible employee to take family leave from work to care for grandparent or grandchild.  
**Provides that covered employer commits unlawful practice if employer denies family leave to which eligible employee is entitled or retaliates or discriminates against individual because of inquiry about or lawful exercise of family leave provisions.**

**A BILL FOR AN ACT**

1  
2 Relating to family leave; creating new provisions; and amending ORS 659A.150 and 659A.183.

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

4 **SECTION 1.** ORS 659A.150 is amended to read:

5 659A.150. As used in ORS 659A.150 to 659A.186:

6 (1) "Covered employer" means an employer described in ORS 659A.153.

7 (2) "Eligible employee" means any employee of a covered employer other than those employees  
8 exempted under the provisions of ORS 659A.156.

9 (3) "Family leave" means a leave of absence described in ORS 659A.159.

10 (4) "Family member" means the spouse of an employee, the biological, adoptive or foster parent  
11 or child of the employee, **the grandparent or grandchild of the employee**, a parent-in-law of the  
12 employee or a person with whom the employee was or is in a relationship of in loco parentis.

13 (5) "Health care provider" means:

14 (a) A person who is primarily responsible for providing health care to an eligible employee or  
15 a family member of an eligible employee, who is performing within the scope of the person's pro-  
16 fessional license or certificate and who is:

17 (A) A physician licensed to practice medicine under ORS 677.110, including a doctor of  
18 osteopathy;

19 (B) A podiatrist licensed under ORS 677.825;

20 (C) A dentist licensed under ORS 679.090;

21 (D) A psychologist licensed under ORS 675.030;

22 (E) An optometrist licensed under ORS 683.070;

23 (F) A naturopath licensed under ORS 685.080;

24 (G) A registered nurse licensed under ORS 678.050;

25 (H) A nurse practitioner certified under ORS 678.375;

26 (I) A direct entry midwife licensed under ORS 687.420;

27 (J) A licensed registered nurse who is certified by the Oregon State Board of Nursing as a nurse

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 midwife nurse practitioner;

2 (K) A clinical social worker licensed under ORS 675.530; or

3 (L) A chiropractic physician licensed under ORS 684.054, but only to the extent the chiropractic  
4 physician provides treatment consisting of manual manipulation of the spine to correct a subluxation  
5 demonstrated to exist by X-rays.

6 (b) A person who is primarily responsible for the treatment of an eligible employee or a family  
7 member of an eligible employee solely through spiritual means, including but not limited to a  
8 Christian Science practitioner.

9 (6) "Serious health condition" means:

10 (a) An illness, injury, impairment or physical or mental condition that requires inpatient care  
11 in a hospital, hospice or residential medical care facility;

12 (b) An illness, disease or condition that in the medical judgment of the treating health care  
13 provider poses an imminent danger of death, is terminal in prognosis with a reasonable possibility  
14 of death in the near future, or requires constant care; or

15 (c) Any period of disability due to pregnancy, or period of absence for prenatal care.

16 **SECTION 2.** ORS 659A.183 is amended to read:

17 659A.183. [*A covered employer who denies family leave to an eligible employee in the manner re-*  
18 *quired by ORS 659A.150 to 659A.186 commits an unlawful employment practice.] **It is an unlawful**  
19 **practice for a covered employer to:***

20 (1) **Deny family leave to which an eligible employee is entitled under ORS 659A.150 to**  
21 **659A.186; or**

22 (2) **Retaliate or in any way discriminate against an individual with respect to hire or**  
23 **tenure or any other term or condition of employment because the individual has inquired**  
24 **about the provisions of ORS 659A.150 to 659A.186, submitted a request for family leave or**  
25 **invoked any provision of ORS 659A.150 to 659A.186.**

26 **SECTION 3.** The amendments to ORS 659A.183 by section 2 of this 2007 Act apply to all  
27 **conduct by an employer, whether occurring before, on or after the effective date of this 2007**  
28 **Act.**

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