

House Bill 2821

Sponsored by Representative WITT; Representatives BARNHART, DEMBROW, GREENLICK, HOLVEY, KOMP, KOTEK, RILEY, SCHAUFLEER, SHIELDS, Senators MORRISETTE, ROSENBAUM

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 **as introduced**.

Prohibits covered employer from requiring eligible employee to use accrued vacation leave when taking family leave.

A BILL FOR AN ACT

1
2 Relating to use of vacation leave during period of family leave; amending ORS 659A.174.

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

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

5 659A.174. (1) Except as provided in subsection (2) of this section, and unless otherwise provided
6 by the terms of an agreement between the eligible employee and the covered employer, a collective
7 bargaining agreement or an employer policy, family leave is not required to be granted with pay.

8 (2) An employee taking family leave is entitled to use any paid accrued sick leave or any paid
9 accrued vacation leave during the period of family leave, or to use any other paid leave that is of-
10 fered by the employer in lieu of vacation leave during the period of family leave.

11 (3)(a) Subject to the terms of any agreement between the eligible employee and the covered
12 employer or the terms of a collective bargaining agreement, [*the employer*] **a covered employer**
13 **may not require an eligible employee to use accrued vacation leave or any other paid leave**
14 **that is offered by the employer in lieu of vacation leave when taking leave authorized under**
15 **ORS 659A.150 to 659A.186.**

16 (b) **Subject to the terms of any agreement between the eligible employee and the covered**
17 **employer or the terms of a collective bargaining agreement and to the provisions of para-**
18 **graph (a) of this subsection, a covered employer** may determine the particular order in which
19 accrued leave is to be used in circumstances in which more than one type of accrued leave is
20 available to the employee.

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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.