



May 6, 2013

Senator Lee Beyer, Chairman  
Senate Business & Transportation Committee  
900 Court Street NE  
Salem, OR 97301

Chair Beyer and members of the committee:

On behalf of AARP Oregon, I appreciate the opportunity to submit testimony in support of House 2950-A. The bill allows an employee eligible for Oregon Family Leave Act to take up to two weeks of unpaid leave to attend the service of a deceased family member, to make arrangements for a deceased family member, or to grieve the death of a family member. The leave must be completed within three months after the death or discovery of death of the family member, and the leave is counted toward the allowed 12-week limit.

The Family & Medical Leave Act (FMLA), which was enacted in 1993 with strong support from AARP, provides an extraordinary useful benefit for working families. It allows individuals who work for employers with 50 or more employees to take up to 12 weeks of unpaid leave to care for a newborn child or for a parent, spouse, child, or themselves in case of illness. Employers are required to maintain their workers' health insurance on the same terms as during active employment and must have the same or a substantially similar job available on the employee's return to work.

Additionally, the Oregon Family Leave Act (OFLA) allows eligible employees to take up to 12 weeks of unpaid leave per year to care for themselves or family members in cases of illness, injury, childbirth, or adoption. Women are allowed to take an additional 12 weeks of leave for pregnancy or childbirth disability leave. To be eligible for parental leave, employee must have worked at least 180 days for the employer. Employers are subject to OFLA if they employ 25 or more persons in Oregon.

Findings of a 2007 AARP survey, *Use of Leave by 50+ Workers for Family and Medical Reasons*, showed that the majority (58%) of workers ages 50+ who are likely to be eligible for FMLA leave reported that they had taken time off from work during the past five years for a medical- or family-related reason. When asked about their longest continuous period of time off from work during the past five years for any of these reasons, nearly one in four (23%) respondents reported that their longest period of time off was less than one week, while one in five (19%) have taken off at least five weeks or longer. Slightly more than four in ten (42%) respondents indicated that they had not any time off within the past five years for medical- and family-related reasons.

According to the survey, the most common reasons for taking less leave related to lack of employer permission, concerns about job security, the perception of being too busy to take leave, and concerns about loss of pay. (AARP's Public Policy Institute will soon release an updated report on the policy issues and considerations related to paid and unpaid family leave.)

Anyone who has experienced the death of a family member understands the emotions of grief associated with the loss as well as the practical aspects of dealing with the necessary arrangements. The obligations related to bereavement are very similar to those of an illness or caring for a loved one. Unfortunately, bereavement is not treated similarly under current Oregon law. HB 2950-A recognizes this discrepancy and ensures that covered employees can deal with their family obligations and take steps necessary for their well-being and do so without the fear of losing their job. The bill is narrowly written and is a reasonable approach to deal with this oversight.

AARP Oregon believes that HB 2950-A provides support to employees and their families when the need is great – the emotions and obligations associated with the death of a family member. We urge your support of HB 2950-A.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Rick Bennett".

Rick Bennett  
Director of Government Relations  
AARP Oregon