

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

Vote: 5 - 0 - 1

Yeas: Edwards, Girod, Monroe, Thomsen, Beyer

Nays: 0

Exc.: Starr

Prepared By: Patrick Brennan, Administrator

Meeting Dates: 5/7, 5/21

WHAT THE MEASURE DOES: Allows eligible employees to take up to two weeks of family leave following death of family member. Specifies bereavement leave must be taken within 60 days of notice of death of family member. Requires bereavement leave be counted toward 12 weeks of authorized family leave.

ISSUES DISCUSSED:

- Importance of grieving process
- Impact of loss of loved one on ability to function in workplace
- Examples of individuals whose careers were impacted by taking time off after death of loved one
- Definition of “family member”
- Impact of state and federal leave laws in general on employers

EFFECT OF COMMITTEE AMENDMENT: Specifies bereavement leave must be taken within 60 days of notice of death of a family member.

BACKGROUND: The Oregon Family Leave Act (OFLA) allows eligible employees to take 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. An employee who has taken 12 weeks of parental leave can take an additional 12 weeks to care for a child with a non-serious health condition. Under OFLA, “family member” includes the following: spouse; domestic partner; biological, adoptive or foster parent or child; grandparent or grandchild; parent-in-law; or person with whom the employee was or is in a relationship of *in loco parentis*.

To be eligible for parental leave, an employee must have worked at least 180 days for the employer. For all other types of family leave, the employee must have worked at least 180 days and for an average of at least 25 hours per week. Employers are subject to OFLA if they employ 25 or more persons in Oregon.

The federal Family and Medical Leave Act (FMLA) has different eligibility requirements. Employers are subject if they employ 50 or more persons. Eligible employees must have worked 1,250 hours during the 12 months prior to the start of leave and must have worked for the employer for 12 months. The work location must be where the employer has 50 or more employees within 75 miles. Under FMLA, “family” does not include siblings or in-laws.

House Bill 2950-B allows an employee eligible for OFLA to take up to two weeks of unpaid leave to attend the service for a deceased family member, to make arrangements for a deceased family member, or to grieve the death of a family member. Eligible employees are entitled to a total of two weeks of leave for this purpose during any one-year period, and the leave is counted toward the 12-week limit. The leave must be taken within 60 days of the death of the family member.

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This summary has not been adopted or officially endorsed by action of the committee.