

## Important New Information

### Family and Medical Leave and Employee Break/Leave Periods

The following family and medical leave and employee break/leave period modifications were implemented by the 2007 Oregon Legislature and are now in effect. Please read through the documents referenced at the end of this email for detailed information on these modifications, as well as other information pertaining to these and other related subjects.

- **OFLA DEFINITION OF A FAMILY MEMBER:**

**Grandparents and grandchildren are now qualified family members under the Oregon Family Leave Act (OFLA).**

~ *From the Family & Medical Leave Supervisor's Guide (link below) OFLA definition of Family Member:*  
OFLA: Spouse, son, daughter, parent, grand-parents, grandchildren, and same sex domestic partner. "Parent" includes custodial parent, non custodial parent, adoptive parent, foster parent, biological parent, parent-in-law, parent of same sex domestic partner, or person with whom the employee is or was in a relationship of in local parentis. It also includes the biological, adopted, or foster child or stepchild of an employee or the child on an employee's same sex domestic partner. For the purposes of OFLA, the employee's child in any of these categories may be either a minor or an adult at the time serious health condition leave is taken.

- **FMLA & OFLA CONCURRENT LEAVES:**

**OFLA excludes leave taken by an employee when the qualifying event is a disabling worker's compensation injury.**

~ *From the Family & Medical Leave Supervisor's Guide (link below):*  
Leaves that qualify as both FMLA and OFLA run concurrently. Where the law allows, all approved leaves, whether paid or unpaid, are counted against an employee's annual FMLA and OFLA leave entitlement under this policy and the law.

OFLA's definition of "family leave" excludes leave taken by an employee who is unable to work because of a "disabling compensable injury", therefore, a leave of absence with qualifies as an accepted disabling workers' compensation claim shall not run concurrently with OFLA leave.

- **EXPRESSING BREAST MILK REST PERIODS:**

**Employees who are breast feeding must be allowed a 30-minute rest period for every four hours worked to express breast milk.**

~*From the APPM:*

**5.2.2 Rest Period to Express Milk**

An employee needing to express milk for her child 18 months of age or younger will be provided a 30 minute unpaid rest period during each four hour work period, to be taken by the employee approximately in the middle of the work period. The employee shall, if feasible, take the rest periods to express milk at the same time as the rest periods or meal periods that are otherwise provided to the employee. To the extent that the break period needed to express milk exceeds the employee's paid rest period, it is unpaid, although the supervisor may allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid rest periods.

- **CRIME VICTIM LEAVE:**

**Employees who are victims of specific crimes are now allowed time off due to circumstances directly related to the crime. The leave is unpaid but employees may use vacation or other paid leave than can be used in place of vacation.**

~From the APPM:

**10.10.3 Reasons for leave:**

An eligible employee shall be allowed to take reasonable leave from work for any of the following purposes caused by or related to domestic violence, sexual assault or stalking of the employee or the employee's minor child or dependent:

1. to seek legal or law enforcement assistance or remedies;
2. to seek medical treatment for or to recover from injuries;
3. to obtain counseling from a licensed mental health professional;
4. to obtain services from a victim services provider;
5. to relocate or take steps to secure an existing home.

- **PAYROLL EARN CODES:**

**New FMLA, OFLA and DPML codes have been added to the Family & Medical Leave Earn Codes document.**

~ From the *Family & Medical Leave Earn Codes document* (link below):

In Time Entry, use one of the FMLA/OFLA/DPML codes from the tables below instead of a regular leave code on the employee's timesheet when coding time off for an approved family leave situation. Use a code corresponding to the type of family leave (FMLA, OFLA, or DPML) that has been approved.

Below are links to the documents that contain detailed information about the new FMLA/OFLA and Employee Break Period information. These can also be located in the [Family & Medical Leave \(FMLA/OFLA\)](#) area of the [Employee Benefits](#) section of the City's Web site.

- [Family & Medical Leave Guide](#)
- [Family & Medical Leave Information Form](#)
- [Family & Medical Leave Timesheet Codes](#)
- The APPM can be viewed by selecting Administrative Policies & Procedures in the Programs & Resources drop-down menu on the home page of the *Intranet*.

If you have any questions about this information, please contact [Janice Gross](#) at (541) 682-5924.