

# Oregon Leave Comparison Guide

*Provided by Cardinal Services*

Eligibility Requirements	Paid Leave Oregon	Oregon Family Leave Act (OFLA)	Family Medical Leave Act (FMLA)	Oregon Sick Leave
Covered Oregon Employers	All employers except federal or tribal governments	Employers with 25 or more employees	Employers with 50 or more employees and all public employers	All employees have either paid or unpaid sick leave
Wages required to be eligible for leave	\$1000 in the previous year	NA	NA	NA
Required time worked for employer before taking the leave and before job protection applies	No work time requirement for Paid Leave benefits, but must have worked 90 days to have job protection	180 days	12 months	90 days
Required hours worked for employer to be eligible for leave	NA	25 hrs/week in past 180 days. Does not apply to parental leave	1250 hours in the previous 12 months	1 sick time hour earned for every 30 hours worked
Geographic requirement	NA	NA	Location with 50 employees within 75 miles	NA
Qualifying Purpose	Paid Leave Oregon	OFLA	FMLA	Oregon Sick Leave
<b>FAMILY LEAVE</b>				
Birth, adoption or foster placement	Yes	No	Yes	Yes
Family member's serious health condition ( <i>family member definitions vary</i> )	Yes	No	Yes	Yes
<b>MEDICAL LEAVE</b>				
<b>Individual's own serious</b>	Yes	No	Yes	Yes
<b>SAFE LEAVE</b>				
Domestic violence, sexual assault, harassment or stalking	Yes	No	No	Yes

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OTHER LEAVE TYPES				
Extended leave for a pregnancy- <i>In addition to leave for serious health condition</i>	Yes	No	No	No
Sick child leave	No	Yes	No	Yes
Military Family Leave	No	No	Yes	No
Bereavement Leave	No	Yes	No	Yes
Public Health Emergency	No	No	No	Yes
Details and definitions of what leave is covered	<a href="https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=295803">https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=295803</a>	<a href="https://www.oregon.gov/boli/workers/pages/oregon-family-leave.aspx">https://www.oregon.gov/boli/workers/pages/oregon-family-leave.aspx</a>	<a href="https://www.dol.gov/agencies/whd/fmla">https://www.dol.gov/agencies/whd/fmla</a>	<a href="https://www.oregon.gov/boli/workers/Pages/sick-time.aspx">https://www.oregon.gov/boli/workers/Pages/sick-time.aspx</a>
Leave Duration and Benefit Payments	Paid Leave Oregon	OFLA	FMLA	Oregon Sick Leave
Leave Duration (most cases)	12 weeks in a one year period	12 weeks in a one year period	12 weeks in a one year period	Employers may cap at 40 hours per year
Maximum leave duration (for certain combinations of leave types)	14 weeks in a one year period	36 weeks in a one year period	26 weeks in a one year period	Employers may cap at 40 hours per year
Payment	Paid Leave	Unpaid Leave	Unpaid Leave	Paid Leave for employers with 10 or more employees (6 or more in Portland)
Benefit Amount	<b>Varies based on employee's average</b> weekly wage. Up to 100% for lower-income workers.	NA	NA	100% of regular workers for paid sick leave
Topping Off	Employees can choose to top off with other paid leave	Employers can choose to top off with other paid leave	Employers can choose to top off with other paid leave	NA
Benefit (like health insurance) Continuation while on Leave	Yes, employers must pay for health insurance including the employee portions. Employers may deduct the employee portions when employees return from leave	Yes	Yes	NA

This guide is intended to be an overview of the four most common leave types in Oregon. It cannot cover every detail of differences between types of paid or unpaid leave. Please see the details and definition links or contact Cardinal for assistance.