



ADMINISTRATIVE POLICY

CODE: GCBDA/GDBDA-AP

TITLE: FAMILY AND MEDICAL LEAVE

When applicable, the district will comply with the provisions of the Family and Medical Leave Act (FMLA), the Oregon Family Leave Act (OFLA) the Oregon Military Family Leave Act (OMFLA), Paid Family and Medical Leave Insurance (PFMLI) also known as Paid Leave Oregon, and other applicable provisions of state and federal law, Board policies, and collective bargaining agreements regarding family medical leave.

In order for an employee to be eligible for benefits under FMLA, the employee must have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period, and works at a worksite that employs 50 or more district employees within 75 miles of the worksite.

Generally, in order for an employee to be eligible for benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days immediately prior to the first day of the start of the requested leave. Special requirements apply during public health emergencies.

OMFLA applies to employees who work an average of at least 20 hours per week; there is no minimum number of days worked when determining an employee's eligibility for OMFLA.

PMFLI is generally available to district employees who have earned \$1,000 in subject wages or taxable income during the alternate base years¹, contributed to the PMFLI fund in the alternate or base years and are otherwise eligible². PFMLI can be taken for family leave, medical leave or safe leave.³

Leave taken under OFLA is in addition to leave taken under PFMLI and cannot be taken concurrently; however, OFLA leave or PFMLI may run concurrently with leave available under ORS 653.601 – 653.661, FMLA, and other types of leave if provided by the district. Any leave taken under PFMLI must be taken concurrently with any leave taken under FMLA when for the same purpose.

The Superintendent or designee will develop administrative regulations, as necessary, for the implementation of the provisions of both federal and state law.

END OF ADMINISTRATIVE POLICY

REVIEWED: 1/2007, 3/14/23, 12/12/23, 4/8/25

APPROVED: 1/2007, 4/1/23, 1/9/24, 4/8/25

POLICY / REGULATION CROSS REFERENCE

GCBDA-AP: Leaves & Absences
GCBDA/GDBDA-AR: Family and Medical Leave
GCBDD/GDBDD-AP: Sick Time
GCBDF/GDBDF-AP: Paid Family Medical Leave Insurance
GCBDC/GDBDC-AP: Domestic Violence, Harassment, Sexual Assault, or Stalking Leave (Safe Leave)

LEGAL REFERENCE

ORS 332.507	ORS 659A.090	ORS 659A.099
ORS 657B.010	ORS 659A.093	ORS 659A.150 - 659A.186
ORS 657B.025	ORS 659A.096	OAR 839-009-0210 - 0460

Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654; 5 U.S.C. §§ 6381-6387 (2018); Family and Medical Leave Act, 29 C.F.R. Part 825 (2023).
Americans with Disabilities Act, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2023); 28 C.F.R. Part 35 (2023).
Escriba v. Foster Poultry Farms, Inc. 743 F.3d 1236 (9th Cir. 2014).
Senate Bill 1515 (2024).

¹ The wages are not required to have been earned for work in the district.

² See OAR 471-070-1010 for additional information.

³ Time to effectuate the legal process for the placement of a child in foster care or a child being adopted qualifies for PFMLI starting January 1, 2025. Until then, leave is available through OFLA.