

ALL ABOARD THE HR EXPRESS: OREGON'S PAID FAMILY MEDICAL LEAVE ACT (PFMLA)

In 2019, the Oregon Legislative Assembly passed the Paid Family Medical Leave Act (PFMLA), which established a paid family and medical leave insurance (PFMLI) program for Oregon employees. PFMLI provides Oregon employees with up to twelve (12) weeks (or in some situations, up to fourteen (14) weeks) of paid time off from work to care for and bond with a child following the child's birth or adoption, to recover from a serious health condition or care for a family member's serious health condition, or to take leave if the employee or the employee's family member has experienced domestic violence, sexual assault, or harassment.



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PFMLI does not provide additional leave beyond what is currently provided by Oregon law, but it provides compensation during such leave. If the employee takes paid leave for a reason that also qualifies for unpaid leave under the Oregon Family Leave Act (OFLA) and/or federal Family and Medical Leave Act (FMLA), the employee must take the OFLA and/or FMLA leave concurrently. Employees can take combined paid and unpaid leave for up to 16 weeks per year, or 18 weeks if the employee's qualifying reason is related to pregnancy or childbirth.

The PFMLI program will be funded by employee and employer contributions (PFMLI Fund) in the form of payroll deductions, which are expected to begin on January 1, 2023. Smaller employers, with fewer than 25 employees are not required to make employer contributions, but will be required to make payroll deductions for employee contributions. Eligible employees may file for benefits starting September 1, 2023.

Oregon paid leave will apply to employers with at least one Oregon employee. To be eligible for paid leave, the employee must work in Oregon and satisfy other criteria such as contributing to the PFMLI Fund.

Oregon should be releasing a sample policy covering the requirements of the Paid Family Medical Leave Act soon. The Oregon Employment Department (OED) is finalizing the Paid Family and Medical Leave Insurance administrative rules and beginning to review Equivalent Plan Applications.

Employer Takeaways:

- Update employee handbooks and policies to include information related to Oregon's Paid Family Medical Leave Act.
- Review Paid Leave Oregon's [Employer Guidebook](#).

- Finalize equivalent plans and submit an [Equivalent Plan Application](#) for approval to the Oregon Employment Department. Equivalent plans have to offer at least the same benefits as Paid Leave Oregon.
- Post Paid Leave Oregon's [Model Notice](#) at each work site no later than January 1, 2023 (in all language(s) used to communicate with employees).

For more information, visit the [Paid Leave website](#) which includes a helpful employer FAQ.