**Oregon Family Leave Act**

**60.000.03**

**Attachment C Sick Child Leave**

This is an attachment to State HR Policy 60.000.03 Oregon Family Leave Act (OFLA) that specifically addresses OFLA Sick Child leave. The agency must follow the provisions of the main policy plus this attachment when administering OFLA Sick Child leave.

1. Under OFLA an eligible employee may take up to 12-weeks worth of leave to care for a child under the age of 18 or incapable of self-care because of a mental or physical disability:
	1. who has a serious or non-serious illness, injury or condition and requires home care
	2. whose school or child care provider has been closed in conjunction with a statewide public health emergency declared by a public health official.

(2) A child is defined as the employee’s biological, adopted, foster or stepchild, a legal ward, or a child of an employee standing in loco parentis, or a child of the employee’s domestic partner.

(3) When an employee requests OFLA Sick Child leave, and periodically thereafter, the agency sends written notification to the employee stating:

* 1. Whether the employee is eligible for Sick Child leave
	2. The employee’s rights and responsibilities under OFLA
	3. Instructions for identifying leave appropriately
	4. If the agency will require the employee to provide medical certification1 after an employee has taken all or any part of three separate days during a leave year.
		+ An agency may not require an employee to provide medical verification for sick child leave due to the closure of a child’s school or child care provider as a result of a public health emergency.

1 The agency may require the employee to provide medical certification after the employee’s third absence during an OFLA leave year. The absence does not have to be for the same child, it can be for different children. There is not a specific form to use for a non-serious health condition medical certification. A medical provider’s own form or a note on a prescription pad will suffice.

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