QUALIFYING PURPOSES UNDER FMLA

|  |  |
| --- | --- |
| 1. **To tend to the employee’s own serious health condition** | |
| 1. **To tend to the serious health condition of the employee’s:** | |
| ⚫ | Spouse: husband or wife as defined under Oregon state law and a same sex spouse of an employee if they are married in a state that legally recognizes same sex marriage. |
| ⚫ | Parent: the employee’s biological or adoptive mother or father, or an individual who stood in loco parentis1 (in place of a parent) when the employee was a child. |
| ⚫ | Child: The employee’s biological, adopted, foster or stepchild, a legal ward, or a child of an employee standing in loco parentis. The child must be 17 years of age or younger. The age limit does not apply if the child is incapable of self-care because of a mental or physical disability under the ADA as interpreted by the EEOC per 29 C.F.R. § 825.122(d) (2). |
| 1. **Parental Leave** | |
| ⚫ | To care for the employee’s newborn, newly adopted child, or newly placed foster child. |
| 1. **Qualifying Exigency Leave** | |
| ⚫ | To attend to qualifying exigencies when the employee’s spouse, parent, son, or daughter is on active duty or called into active duty in support of a contingency operation for the military. |
| 1. **Military Caregiver Leave** | |
| ⚫ | [Up to 26 weeks (1040 hours for a full-time employee who works 40 hours per week) in a single 12-month period] to care for the employee’s spouse, parent, son or daughter of any age, or next of kin who is a covered service member with a serious injury or illness incurred in the line of duty on active duty, or a veteran discharged under other than dishonorable conditions within five years of receiving medical treatment, recuperation or therapy for a serious injury or illness. |
| ⚫ | The single 12-month period is applied on the following basis: per covered service member, per injury or illness. This includes (is not in addition to) time used for other FMLA-qualifying purposes during the 12- month period. |

**Refer to DAS statewide Family and Medical Leave Policy 60.000.15 for additional information.**

QUALIFYING PURPOSES UNDER OFLA

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  | | --- | --- | | 1. **Leave to Care for a Child (Serious and Non-serious, 17 years of age or younger, or incapable of self-care)** | | |  | Up to 12 weeks in a 52-week period. Includes all illnesses, injuries, or conditions that require home care. Includes absence to care for a child whose school or childcare provider has been closed in conjunction with a statewide public health emergency declared by a public health official. | | 1. **Foster or Adoption**  * Up to two (2) additional weeks to effectuate the legal process required for placement of a foster child or adoption of a child between July 1, 2024, and December 31, 2024.  1. **Pregnancy Related Disability**  * Up to 12 additional weeks in a 52-week period.  1. **Military Family Leave** | | | ⚫ | Up to 14 working days per deployment related to the deployment of an employee’s spouse or same-gender domestic partner. The 14 days is included in the 12-week  OFLA entitlement per 52-week period. | | 1. **Bereavement Leave** | | | ⚫ | Up to two (2) weeks per family member in a 52-week period (to be taken within 60 days of notification of the death) to deal with the death of a family member by: attending the funeral or alternative to a funeral, making arrangements necessitated by the death, or grieving. |   **Refer to DAS statewide Oregon Family Leave Act Policy 60.000.03 for additional information.** |