4N. Paid Leave Oregon Benefit

Paid Leave Oregon

Poster
A poster with Paid Leave Oregon (PLO) information, including information about how to apply for benefits is in the Shared Drive and should be cross-referenced while reviewing this policy. The poster is also available in the main employee areas of each building.

Reasons for Leave and Leave Length
PLO is a state-run program that allows eligible employees to take up to 12-weeks of paid time off per benefit year, for the following reasons:

- *Family leave* – for an employee to care for a family member with a serious illness or injury, or to bond with a new child after birth, adoption, or foster care placement.
- *Medical leave* – for an employee experiencing their own serious health condition or disability due to pregnancy.
- *Safe leave* – for an employee or eligible child dependent experiencing issues related to sexual assault, domestic violence, harassment, or stalking.

The PLO program also allows employee to take an additional two (2) weeks of paid leave for pregnancy, childbirth, or related medical conditions.

An additional four (4) weeks of unpaid leave is also allowed for other OFLA protected reasons.

Notification Requirements
Although the plan is administered by Paid Leave Oregon, Morrow County requires employees to notify Morrow County when they have applied for PLO leave.

Foreseeable Leave: If the need for PLO leave is foreseeable or planned, the employee is required to provide Morrow County at least 30 days' written notice before paid leave is to begin (see notice requirements below). Written notice should be submitting using the Employee Leave Request Form.

Unforeseeable: If the need for PLO leave is unforeseeable or unplanned, an employee is required to provide oral notice to Morrow County within 24 hours of the start of the leave, and the employee must also provide written notice within three (3) days after the start of the leave. Written notice should be submitted using the Employee Leave Request Form.

Written notice must include the employee's first and last name, type of leave, explanation of the need for leave, and anticipated timing and duration of leave. Timing and duration of leave should include the employee's plan for taking leave on an intermittent basis or in one block of time.

If the employee's dates of scheduled leave change, are extended by PLO, or if the reason for leave becomes known and/or, if circumstances change during the leave and the leave period differs from the original request, the employee must notify the Human Resource Director within three business days, or as soon as possible.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees are expected to comply with Morrow County's normal call-in procedures.

Under Oregon law, an employee who fails to follow these notification requirements may receive reduced PLO benefits; specifically, the first weekly benefit amount will be reduced by 25 percent (the penalty calculated for leaves that are taken in increments of less than a full work week differs). See OAR 471-070-1310(9) and (10).

Concurrent use of FMLA/OFLA Leave

As allowed by law:

If an employee's PLO leave is also eligible for protected leave under the Oregon Family Leave Act (OFLA) and/or the Family Medical Leave Act (FMLA), OFLA and/or FMLA leave must be taken concurrently with PLO leave.

Employees must provide sufficient information for Morrow County to determine if the leave qualifies for FMLA and/or OFLA protection. Employees who have requested or have been approved for PLO leave are required to complete a FMLA/OFLA Leave Request Form and return it to Human Resource Director.

If an employee is eligible for OFLA and/or FMLA leave due to a "serious health condition" or has a family member with a "serious health condition", employees must furnish Morrow County's medical certification information as required by Morrow County's FMLA and/or OFLA policy.

Please refer to Morrow County's FMLA/OFLA policies for more information about submitting a FMLA/OFLA Leave Request Form, and/or medical certification. Morrow County's FMLA/OFLA policies start under *Section IV. Time Off and Leaves of Absences*.

Accrued Leave and Holiday Pay While on Leave

Employees on PLO leave will accrue sick, vacation, or other employer-provided leave on County-hours paid. Employee will receive holiday pay in accordance with Morrow County's Holiday Pay policy.

Benefits While on Leave

If an employee is on a state approved PLO leave, Morrow County will continue the employee's medical, vision, dental, life, disability, and all eligible voluntary coverage, on the same terms as if the employee had continued to work. An employee wishing to maintain coverage when on a state approved PLO leave, is responsible for paying his/her share of premiums, the same as when premiums were paid by the employee, prior to the PLO leave.

Medical Certification Prior to Returning to Work

If an employee takes more than three consecutive scheduled workdays for their own serious health condition, and the leave is used concurrently with FMLA and/or OFLA, the employee may be required to furnish, prior to returning to work, medical certification from his/her health care provider stating that the employee is able to resume work.

Job Protection (ORS 657.060)

Employees who have worked for Morrow County for more than 90 consecutive calendar days prior to taking PLO leave will be reinstated to their former position, if the position still exists. If the position has been eliminated, the employee will be reassigned to an available equivalent position for which the employee is qualified with equivalent employment benefits, pay and other terms and conditions of employment.

Reinstatement is not guaranteed if the position has been eliminated under circumstances where the law does not require reinstatement.

Employees are expected to promptly return to work when the circumstances requiring PLO leave have been resolved. If an employee does not return to work at the end of a PLO leave, reinstatement may not be available unless the law requires otherwise.

Employees who work for other employers while taking PLO leave may be subject to discipline up to and including termination. Additionally, all employees who use PLO leave for reasons other than the reason for which leave had been granted may be subject to discipline up to and including termination.

Use of Accrued Leave to Supplement Paid Leave Oregon Benefit

Paid Leave Oregon benefits will not provide the majority of employees with 100% of their gross regular wages, so employees receiving PLO benefits, may choose to supplement their PLO benefits with other available paid leave such as accrued paid leave [sick, vacation, comp time, float, admin leave, etc.].

To request use of employer compensation, employees are required to complete, sign, and then submit, a Supplemental Compensation Request Form, along with their PLO Benefit Determination Letter, no later than the last date and time the Morrow County requires employees' regular payroll submissions to be submitted. Failure to complete, sign, and return the Supplemental Leave Authorization Form to Human Resource Director in a timely manner may result in the employee not being allowed to use employer compensation to supplement PLO benefits.

Complaint Procedure

Morrow County prohibits discrimination and harassment against an employee who takes protected paid leave. Conduct that violates the Morrow County's no-harassment and no-discrimination policies will not be tolerated and may subject an employee to discipline, up to and including termination. See the No-Harassment Policy in the employee handbook.

Employees who have experienced discrimination or harassment, or have witnessed such behavior, should bring the matter to the attention of a supervisor or member of management as soon as possible.

Who to contact for more information?

For more information about Morrow County's Paid Leave Oregon policy, contact the Human Resource Director.

For more information about the state's Paid Leave Oregon program, employees need to contact Paid Leave Oregon directly. Employee information and Paid Leave Oregon contact information is available at the following website:

Paid Leave Oregon: Employees: Employees: State of Oregon