

WESTERN OREGON UNIVERSITY

FMLA (Federal Family and Medical Leave Act)
OFLA (Oregon Family and Medical Leave Act)

Western Oregon University grants up to 12 workweeks of unpaid, job-protected, family and medical leave to employees who qualify under the Federal Family and Medical Leave Act (FMLA) and/or the Oregon Family and Medical Leave Act (OFLA). A qualifying employee is determined as follows:

FMLA: An employee must have worked for a total of 1250 hours for a period of 12 months immediately preceding the date leave begins.

OFLA: An employee must have worked for a period of 180 calendar days immediately preceding the date leave begins, and must have worked an average of 25 hours per week during the 180-day period.

A family or medical leave is either requested by the employee directly or the university will invoke family or medical leave for an employee who has a qualifying event.

Examples of qualifying events are:

- your own serious health condition
- care of a newborn child, adoption/foster care placement of a child
- care for a family member with a serious health condition
- qualifying exigency for an employee whose spouse, child, or parent is on active military duty or is called to active duty status.

In general, both FMLA and OFLA allow an employee 12 weeks of leave during a rolling 12-month period. The 12-month period is measured backward from the date an employee starts using FMLA or OFLA leave and continues with each additional leave day taken. Leave may be taken intermittently or on a reduced schedule under certain circumstances.

Unclassified employees must use all sick leave prior to requesting leave without pay while on FMLA/OFLA and may use accrued vacation leave.

Classified employees must use all accrued sick, vacation and personal leave before being placed on leave without pay while on FMLA/OFLA.

The University must continue to provide the level of health benefits regardless of the paid status of the employee on FMLA/OFLA. Employees may also be covered by collective bargaining agreements and/or personnel rules/policies that are different than federal FMLA/OFLA. In some cases because of these rules/policies, you may be entitled to more leave than is normally available under FMLA. The University must comply with the provisions that are most advantageous to employees. Leave under collective bargaining agreements and personnel rules/policies will run concurrently with leave available under FMLA. Your FMLA leave will also count as OFLA leave.

In most cases FMLA is more advantageous than OFLA; however, if state law is more generous, WOU will comply with state law. As a result you may be entitled to more leave than normally available under FMLA. You may qualify for both FMLA/OFLA.

For additional information, or if you have questions regarding WOU family and medical leaves, contact the Human Resources Office at 503 838-8490 or Judy Vanderburg at 503.838.8131.

BENEFITS PROVIDED:

Job Protection Rights:

FMLA

Yes

OFLA

Yes

Health/Dental Insurance:

Yes

No

PROVIDES TIME OFF FOR:**FMLA****OFLA**Care for newborn child, adoption/foster care
Placement – both maternal & paternal:

Yes

Yes

Family Member serious health condition:

Yes

Yes

Parent In-law covered :

No

Yes

Same-Sex Domestic Partner covered:

No

Yes

Employee serious health condition:

Yes

Yes

Female employees may take an additional
12 weeks of leave for pregnancy-related
health condition:

No

Yes

Child with minor illness requiring home care:

No

Yes

Either parent may take additional 12
Weeks for this reason:

No

Yes

Military Qualifying Exigency Leave:

Yes

No

ELIGIBILITY**FMLA****OFLA**

180 days of employment, no hours test*

No

Yes

180 days of employment, 25+ hrs per week

No

Yes

12 months of employment AND

Yes

NA

Exempt employees .50+ FTE

Non-exempt employees 1250 hrs

Worked in the last 12 months

* only for care for newborn child, or adoption/foster care placement