

Union TA:

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Article 19. Federal, State, and City Family and Medical Leave. Family and Medical Leave

- 19.1 ~~To provide employees the opportunity to balance their family commitments with their employment obligations, the~~ The City shall will grant employees leave in accordance with ~~Family Leave to employees in accordance with the Federal Family and Medical Leave Act (FMLA), and the Oregon Family Leave Act (OFLA), and Human Resources Administrative Rules for Family and Medical Leave. and as designated in the City's Human Resources Administrative Rules.~~ For purposes of ~~Family Leave~~ family leave, the City agrees that "spouse" includes "domestic partner".
- 19.2 Any subsequent changes in the law or the Human Resources Administrative Rules will be incorporated into this Agreement. Specific rules and/or administrative procedures are available from the Bureau of Human Resources.
- 19.3 During periods of leave covered by FMLA and/or OFLA ~~the Oregon Family Leave~~, eligible employees shall be required to use accrued or accumulated paid leaves, including vacation and, when applicable, sick leave, prior to a period of unpaid leave of absence. The use of sick leave shall be governed by Article 18 except as indicated below in this ~~article~~ Article.
- 19.3.1 Notwithstanding the provisions of Article 19.3 above, an employee may reserve all compensatory time and whatever vacation is necessary to accumulate a total of 80 hours of combined compensatory and vacation time for use upon return from ~~Family Leave~~ family leave.
- 19.3.2 If an employee has qualified for family leave, the employee may use sick leave in cases of qualifying conditions as defined by federal and state law. in the employee's immediate family including domestic partner as defined in the Human Resources Administrative Rules. If the duration of the employees' family leave is longer than the amount of the employee's accrued sick leave, the employee must use other accrued leave for the duration of the family leave before being placed on an unpaid leave of absence. . In no event may an employee use sick leave under this section to extend family leave beyond twelve (12) weeks per year.

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19.4 **City Paid Parental Leave.** Per City Human Resources Administrative Rules HRAR 6.05, employees covered by this agreement may be eligible for paid parental leave. ~~See HRAR 6.05 for additional information.~~ Should the provisions of ~~HRAR 6.05~~ the HRAR change, the City and Unions will meet to negotiate over the impact of the change(s). ~~Changes shall be recommended by the Labor/Management Benefits Committee and approved by City Council.~~

19.5 **State Paid Leave.** Under Paid Leave Oregon (PLO) or Washington Paid Family and Medical Leave (WA PFML), employees may be eligible to take a leave of absence with partial or full-wage replacement provided by the State. ~~Any subsequent changes in the law or Human Resources Administrative Rules, will be incorporated into this Agreement.~~ If an employee elects to take a leave of absence covered by PLO or WA PFML, and the employee chooses to top off, an employee may elect the order in which they use their accrued leaves or elect to not use their accrued leaves to supplement their PLO or WA PFML benefit. PLO or WA PFML benefits in combination with City paid leave may exceed one hundred percent (100%) of an employee's regular income without recoupment by the City. Paid time off will accrue only on the monies paid by the City that the employee has elected to access to supplement PLO benefits. PLO benefits paid by the State will not accrue paid time off.

19.6. **Extended Parental Leave** If an employee exhausts their City Paid Parental Leave and their State Paid Parental Leave under PLO/WAPFML, an additional period of unpaid leave or accrued vacation will be granted, upon written notification, to extend their Parental Leave. However, the total of all paid and unpaid leaves must not exceed a total of six (6) months including all State Paid and City paid and/or unpaid leave.

19.6.1 The parties have further agreed that an employee who is granted family leave under the above laws shall be entitled to utilize accrued compensatory

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time for that leave. An employee must exhaust all unreserved accrued time off before taking unpaid leave. ~~An employee must exhaust all sick and unreserved vacation leave and unreserved accrued compensatory time before taking unpaid leave~~