

City TA:

*AMM
9/10/25*

Union TA:

*Shahel Mirza
9/10/25*

ARTICLE 13
FEDERAL, STATE AND CITY FAMILY AND MEDICAL LEAVE

Section 1, General. The City will grant employees leave in accordance with the Family and Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA) and the City's Human Resources Administrative Rules for Family and Medical Leave. For purposes of Family Leave, the City agrees that "spouse" includes "domestic partner."

Section 2, Changes. Any subsequent changes in state or federal laws or the Human Resource Administrative Rules (HRAR) will be incorporated into this Agreement. Specific rules and/or administrative procedures are available from bureau timekeepers or the Bureau of Human Resources.

Section 3. During periods of leave covered by FMLA and/or OFLA, 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 12 except as indicated below in this article.

Section 4, Family Leave. 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 for the employee's immediate family, including domestic partner (as defined in ORS state law and HRAR Family Medical Leave). If the duration of the employee's family leave is longer than the amount of the employee's accrued paid leave (not including sick leave), the employee may choose to be placed on unpaid leave of absence or sick leave for the duration of the family leave after using all other accrued paid leave. In no event may an employee use sick leave under this section to extend family leave beyond twelve (12) weeks per leave year. A leave year begins the Sunday prior to the first day that leave is taken for the first qualifying reason and ends on the Saturday 52 weeks later.

- a) An employee must exhaust all accruals before taking unpaid leave, except that an employee may reserve a total of eighty (80) hours of combined compensatory and vacation time for use upon return from Family Leave.

~~Section 5. Notwithstanding the provisions above, an employee may reserve all compensatory time and whatever vacation is necessary to accumulate a total of eighty (80) hours of combined compensatory and vacation time for use upon return from Family Leave.~~

Section 65, Parental Leave.

- (a) **City Paid Parental Leave.** Per City Human Resources Administrative Rules, employees covered by this agreement may be eligible for paid parental leave. Should the provisions of HRAR change, the City and the Unions will meet to negotiate over the impact of the change(s).
- (b) **Non-City Parental Leave.** In addition to parental leave as described in subsection (a), employees may be eligible for leave under FMLA and Oregon or Washington law for the care of an infant or newly adopted child or for a newly placed foster child.

Section 86, State Paid Leave. Under Paid Leave Oregon (PLO) or Washington Paid Family Medical Leave (WA PFML), employees may be eligible to take a leave of absence with full or partial wage replacement provided by the State. 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 they may elect to not use their accrued leaves to supplement their PLO or WA PFML. If an employee selects to top off, PLO or WA PFML benefits may exceed one hundred percent (100%) of an employee's regular income without penalization or recoupment by the City. Paid time off will only accrue on the

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monies paid by the City that an employee has elected to supplement their PLO benefits. PLO benefits paid by the state will not accrue paid time off unless otherwise provided in the Agreement.