

## SENATE AMENDMENTS TO SENATE BILL 69

By COMMITTEE ON LABOR AND BUSINESS

February 3

1 In line 2 of the printed bill, before the period insert “; creating new provisions; amending ORS  
2 653.616, 653.626, 657B.060, 657B.070, 657B.400, 659A.156, 659A.159 and 659A.165; and prescribing an  
3 effective date”.

4 Delete lines 4 through 8 and insert:

5 **“SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 657B.**

6 **“SECTION 2. Notwithstanding any other provision under this chapter, the Bureau of**  
7 **Labor and Industries is responsible for administrative and regulatory oversight regarding the**  
8 **requirements under ORS 657B.060, and the provisions of ORS 657B.070 relating to retaliation**  
9 **and discrimination, and shall adopt any rules necessary and proper for the administration**  
10 **of those sections.**

11 **“SECTION 3.** ORS 657B.070 is amended to read:

12 **“657B.070. (1) It is an unlawful employment practice for an employer to:**

13 **“(a) Violate ORS 657B.060.**

14 **“(b) Deny leave or interfere with any other right to which an eligible employee is entitled under**  
15 **this chapter.**

16 **“(c) Retaliate or in any way discriminate against an employee with respect to hire or tenure or**  
17 **any other term or condition of employment because the employee has inquired about the rights or**  
18 **responsibilities under this chapter.**

19 **“(2)(a) An employee who alleges a violation of this section may bring a civil action under ORS**  
20 **659A.885 or may file a complaint with the Commissioner of the Bureau of Labor and Industries in**  
21 **the manner provided by ORS 659A.820.**

22 **“(b) This subsection does not apply if the process described in ORS 657B.410, or the method**  
23 **established under ORS 657B.420, provides a remedy for the alleged violation.**

24 **“(3) Notwithstanding the applicable statute of limitations for complaints filed under ORS**  
25 **659A.820 or actions brought under ORS 659A.885 alleging a violation of ORS 657B.060 or this**  
26 **section, if a claimant filed an appeal under ORS 657B.410 or 657B.420, the appeal tolls the**  
27 **statute of limitations for the period of time during which the appeal is pending.**

28 **“SECTION 4.** ORS 659A.159, as amended by section 8, chapter 20, Oregon Laws 2024, is  
29 amended to read:

30 **“659A.159. (1) Family leave under ORS 659A.150 to 659A.186 may be taken by an eligible em-**  
31 **ployee for any of the following purposes:**

32 **“(a) To care for a child of the employee who is suffering from an illness, injury or condition that**  
33 **requires home care or who requires home care due to the closure of the child’s school or child care**  
34 **provider as a result of a public health emergency.**

35 **“(b) To deal with the death of a family member by:**

- 1 “(A) Attending the funeral or alternative to a funeral of the family member;  
2 “(B) Making arrangements necessitated by the death of the family member; or  
3 “(C) Grieving the death of the family member.

4 “(2) For purposes of ORS 659A.150 to 659A.186:

5 “(a) Leave under subsection (1)(a) of this section may only be taken for a child of the  
6 employee who is:

7 “(A) Under the age of 18; or

8 “(B) Substantially limited by a physical or mental impairment as described in ORS  
9 659A.104.

10 “(b) Leave under subsection (1)(b) of this section must be completed within 60 days of the date  
11 on which the eligible employee receives notice of the death of a family member.

12 “**SECTION 5.** ORS 659A.165, as amended by section 10, chapter 20, Oregon Laws 2024, is  
13 amended to read:

14 “659A.165. (1) Except as provided in subsection (2) of this section, a covered employer may re-  
15 quire an eligible employee to give the employer written notice at least 30 days before commencing  
16 family leave. The employer may require the employee to include an explanation of the need for the  
17 leave in the notice.

18 “(2) An eligible employee may commence taking family leave without prior notice under the  
19 following circumstances:

20 “(a) An unexpected illness, injury or condition of a child of the employee that requires home  
21 care;

22 “(b) The death of a family member; [or]

23 “(c) The leave is for the purpose described under ORS 659A.162 (3)[.]; or

24 “(d) **The closure of the school or child care provider of the employee’s child due to a  
25 public health emergency unless the declaration of the public health emergency was issued  
26 by the Governor at least 30 days before commencement of the leave.**

27 “(3) If an employee commences leave without prior notice under subsection (2) of this section,  
28 the employee must give oral notice to the employer within 24 hours of the commencement of the  
29 leave, and must provide the written notice required by subsection (1) of this section within three  
30 days after the employee returns to work. The oral notice required by this subsection may be given  
31 by any other person on behalf of the employee taking the leave.

32 “(4) Except as provided in this subsection, if the employee fails to give notice as required by  
33 subsections (1) and (3) of this section, the employer may reduce the total period of family leave au-  
34 thorized by ORS 659A.162 by three weeks, and the employee may be subject to disciplinary action  
35 under a uniformly applied policy or practice of the employer. A reduction of family leave under this  
36 subsection may not limit leave described in ORS 659A.159 (1)(b).

37 “**SECTION 6.** ORS 657B.400 is amended to read:

38 “657B.400. (1) Except as provided in subsections (2) to (7) and (10) of this section, all information  
39 in the records of the Employment Department or a third party administrator pertaining to the ad-  
40 ministration of this chapter:

41 “(a) Is confidential and for the exclusive use and information of the Director of the Employment  
42 Department in administering this chapter;

43 “(b) May not be used in any court action or in any proceeding pending in the court unless the  
44 director or the State of Oregon is a party to the action or proceeding or unless the action or pro-  
45 ceeding concerns the establishment, enforcement or modification of a support obligation and support

1 services are being provided by the Division of Child Support of the Department of Justice or the  
2 district attorney pursuant to ORS 25.080; and

3 “(c) Is exempt from disclosure under ORS 192.311 to 192.478.

4 “(2) The Employment Department may disclose information:

5 “(a) To the extent necessary for the payment of benefits or collection of contributions due under  
6 this chapter:

7 “(A) To any claimant or employer; or

8 “(B) To a legal representative or other designee authorized by a claimant or employer in ac-  
9 cordance with any rules adopted by the director regarding the receipt of confidential information  
10 on behalf of a claimant or employer.

11 “(b) Upon request to the United States Attorney’s Office. Under this paragraph, the Employ-  
12 ment Department may disclose an individual’s employment and wage information in response to a  
13 federal grand jury subpoena or for the purpose of collecting civil and criminal judgments issued by  
14 a federal court, including restitution and special assessment fees. The information disclosed is con-  
15 fidential and may not be used for any other purpose. The costs of disclosing information under this  
16 paragraph shall be paid by the United States Attorney’s Office.

17 “(c) **Regarding the benefit amounts paid to employees, to the extent necessary to exercise**  
18 **the authority granted to employers under ORS 657B.030 (2).**

19 “(3) At the discretion of the director and subject to an interagency agreement, the Employment  
20 Department may disclose, upon request, information:

21 “(a) To state or local child support enforcement agencies enforcing child support obligations for  
22 the purposes of establishing child support obligations, locating individuals owing child support obli-  
23 gations and collecting child support obligations from those individuals. The information disclosed is  
24 confidential and may not be used for any other purpose. The costs of disclosing information under  
25 this paragraph shall be paid by the child support enforcement agency.

26 “(b) To agencies participating in an income and eligibility verification system for the purpose  
27 of verifying an individual’s eligibility for benefits, or the amount of benefits, under a state or federal  
28 program such as unemployment insurance, temporary assistance for needy families, medical assist-  
29 ance, supplemental nutrition assistance, Supplemental Security Income, child support enforcement  
30 or Social Security. The information disclosed is confidential and may not be used for any other  
31 purpose. The costs of disclosing information under this paragraph shall be paid by the requesting  
32 agency.

33 “(c) To officers and employees of the United States Department of Housing and Urban Devel-  
34 opment and to representatives of a state or local public housing agency for the purpose of deter-  
35 mining an individual’s eligibility for benefits, or the amount of benefits, under a housing assistance  
36 program. The information disclosed is confidential and may not be used for any other purpose. The  
37 costs of disclosing information under this paragraph shall be paid by the requesting agency.

38 “(4) At the discretion of the director and subject to an interagency agreement, the Employment  
39 Department may disclose information secured from employers:

40 “(a) To state agencies, federal agencies, local government agencies, public universities listed in  
41 ORS 352.002 and the Oregon Health and Science University established under ORS 353.020, to the  
42 extent necessary to properly carry out governmental planning, performance measurement, program  
43 analysis, socioeconomic analysis or policy analysis functions performed under applicable law and at  
44 the discretion of the director and subject to an interagency agreement. The information disclosed  
45 is confidential and may not be disclosed by the agencies or universities in any manner that would

1 identify individuals, claimants, employees or employers. If the information disclosed under this par-  
2 agraph is not prepared for the use of the Employment Department, the costs of disclosing the in-  
3 formation shall be paid by the agency or university requesting the information.

4 “(b) As part of a geographic information system. Points on a map may be used to represent  
5 economic data, including the location, employer size and industrial classification of businesses in  
6 Oregon. Information presented as part of a geographic information system may not give specific  
7 details regarding a business’s address, actual employment or proprietary information. If the infor-  
8 mation disclosed under this paragraph is not prepared for the use of the Employment Department,  
9 the costs of disclosing the information shall be paid by the party requesting the information.

10 “(5) At the discretion of the director and subject to an interagency agreement, the Employment  
11 Department may disclose information received from an employer, an employee or a claimant:

12 “(a) To public employees in the performance of their duties under state or federal laws relating  
13 to the payment of family and medical leave insurance benefits.

14 “(b) Pursuant to an informed consent, received from the employer, employee or claimant, to  
15 disclose the information.

16 “(c) To the Bureau of Labor and Industries for the purpose of performing duties under ORS  
17 279C.800 to 279C.870, 658.005 to 658.245 or 658.405 to 658.511 or ORS chapter 652, 653 or 659A. The  
18 information disclosed may include the names and addresses of employers and employees, payroll data  
19 of employers and employees, and information obtained for an appeal from a determination under a  
20 plan approved under ORS 657B.210. The information disclosed is confidential and may not be used  
21 for any other purpose. If the information disclosed under this paragraph is not prepared for the use  
22 of the Employment Department, the costs of disclosing the information shall be paid by the bureau.

23 “(d) To the Department of Revenue for the purpose of performing its duties under ORS 293.250  
24 or under the revenue and tax laws of this state and identifying potential identity theft and fraud.  
25 The information disclosed may include the names and addresses of employers and employees, payroll  
26 data of employers and employees, and particulars, as defined in ORS 314.835. The information dis-  
27 closed is confidential and may not be disclosed by the Department of Revenue in any manner that  
28 would identify an employer or employee except to the extent necessary to carry out the  
29 department’s duties under ORS 293.250 or in auditing or reviewing any report or return required  
30 or permitted to be filed under the revenue and tax laws administered by the department. The De-  
31 partment of Revenue may not disclose any information received to any private collection agency or  
32 for any other purpose. If the information disclosed under this paragraph is not prepared for the use  
33 of the Employment Department, the costs of disclosing the information shall be paid by the Depart-  
34 ment of Revenue.

35 “(e) To the Department of Consumer and Business Services for the purpose of performing its  
36 duties under ORS chapters 654, 656 and 731. The information disclosed may include, but is not lim-  
37 ited to, the name, address, number of employees and standard industrial classification code of an  
38 employer and payroll data of employers and employees. The information disclosed is confidential and  
39 may not be disclosed by the Department of Consumer and Business Services in any manner that  
40 would identify an employer or employee except to the extent necessary to carry out the  
41 department’s duties under ORS chapters 654, 656 and 731, including administrative hearings and  
42 court proceedings in which the Department of Consumer and Business Services is a party. If the  
43 information disclosed under this paragraph is not prepared for the use of the Employment Depart-  
44 ment, the costs of disclosing the information shall be paid by the Department of Consumer and  
45 Business Services.

1 “(f) To the Construction Contractors Board for the purpose of performing its duties under ORS  
2 chapter 701. The information disclosed to the board may include the names and addresses of em-  
3 ployers and status of their compliance with this chapter. If the information disclosed under this  
4 paragraph is not prepared for the use of the Employment Department, the costs of disclosing the  
5 information shall be paid by the board.

6 “(g) To the Department of Transportation to assist the department in carrying out its duties  
7 relating to collection of delinquent and liquidated debts, including taxes, under ORS 184.610 to  
8 184.665, 184.670 to 184.733 and 805.263, ORS chapter 319 and the Oregon Vehicle Code, or in audit-  
9 ing or reviewing any report or return required or permitted to be filed under the revenue and tax  
10 laws administered by the department. The information disclosed may include the names and ad-  
11 dresses of employers and employees and payroll data of employers and employees. The information  
12 disclosed is confidential and may not be disclosed by the Department of Transportation in any  
13 manner that would identify an employer or employee except to the extent necessary to carry out the  
14 department’s duties relating to collection of delinquent and liquidated debts or in auditing or re-  
15 viewing any report or return required or permitted to be filed under the revenue and tax laws ad-  
16 ministered by the department. The Department of Transportation may not disclose any information  
17 received to any private collection agency or for any other purpose. If the information disclosed un-  
18 der this paragraph is not prepared for the use of the Employment Department, the costs of disclosing  
19 the information shall be paid by the Department of Transportation.

20 “(h) To the Department of Human Services and the Oregon Health Authority to assist the de-  
21 partment and the authority in the collection of debts that the department and the authority are  
22 authorized by law to collect. The information disclosed may include the names and addresses of  
23 employers and employees and payroll data of employers and employees. The information disclosed  
24 is confidential and may not be disclosed by the Department of Human Services or the Oregon Health  
25 Authority in any manner that would identify an employer or employee except to the extent neces-  
26 sary for the collection of debts as described in this paragraph. The Department of Human Services  
27 and the Oregon Health Authority may not disclose information received under this paragraph to a  
28 private collection agency or use the information for a purpose other than the collection of debts as  
29 described in this paragraph. If the information disclosed under this paragraph is not prepared for  
30 the use of the Employment Department, the costs of disclosing the information shall be paid by the  
31 Department of Human Services or the Oregon Health Authority.

32 “(i) To the State Treasurer useful for the purpose of performing the State Treasurer’s duties  
33 under ORS 98.302 to 98.436, 98.992, 113.235 and 116.253. The information disclosed is confidential and  
34 may not be used by the State Treasurer for any other purpose. If the information disclosed under  
35 this paragraph is not prepared for the use of the Employment Department, the costs of disclosing  
36 the information shall be paid by the State Treasurer.

37 “(6) At the discretion of the director and subject to an interagency agreement, the director may  
38 disclose information to a public official in the performance of the public official’s official duties ad-  
39 ministering or enforcing laws within the public official’s authority and to an agent or contractor of  
40 a public official. The public official shall agree to assume responsibility for misuse of the information  
41 by the public official’s agent or contractor.

42 “(7) At the discretion of the director, the director may disclose information to a contractor  
43 pursuant to a contract for actuarial services. The contractor shall agree to assume responsibility for  
44 misuse of the information by the contractor’s agent.

45 “(8) Any officer appointed by or any employee of the director who discloses confidential infor-

1 mation, except with the authority of the director, pursuant to rules or as otherwise required by law,  
2 may be disqualified from holding any appointment or employment with the Employment Department.

3 “(9) Any person or any officer or employee of an entity to whom information is disclosed by the  
4 Employment Department under this section who divulges or uses the information for any purpose  
5 other than that specified in the provision of law or agreement authorizing the use or disclosure may  
6 be disqualified from performing any service under contract or from holding any appointment or em-  
7 ployment with the state agency that engaged or employed that person, officer or employee. The  
8 Employment Department may immediately cancel or modify any information-sharing agreement with  
9 an entity when a person or an officer or employee of that entity discloses confidential information,  
10 other than as specified in law or agreement.

11 “(10) At the discretion of the director, the director may disclose information to an employee or  
12 officer within any division of the Employment Department as necessary to conduct research, compile  
13 aggregate data from the information received and any other purpose deemed necessary by the di-  
14 rector to assist the director in carrying out the duties under this chapter or other duties under ORS  
15 chapter 657.

16 “(11) The director may adopt any rules necessary to implement this section.

17 “**SECTION 7.** ORS 657B.060 is amended to read:

18 “657B.060. (1)(a) Except as provided in paragraph (b) of this subsection, after returning to work  
19 after a period of family leave, medical leave or safe leave, an eligible employee is entitled to be re-  
20 stored to the position of employment held by the employee when the leave commenced, if that posi-  
21 tion still exists, without regard to whether the employer filled the position with a replacement  
22 worker during the period of leave. If the position held by the employee at the time leave commenced  
23 no longer exists, the employee is entitled to be restored to any available equivalent position with  
24 equivalent employment benefits, pay and other terms and conditions of employment. If an equivalent  
25 position is not available at the job site of the employee’s former position, the employer shall offer  
26 the employee an equivalent position at a job site located within 50 miles of the job site of the  
27 employee’s former position, if such a position is available. If equivalent positions are available at  
28 multiple job sites, the employer shall first offer the employee the position at the job site that is  
29 nearest to the job site of the employee’s former position.

30 “(b) For employers that employ fewer than 25 employees, if the position held by an eligible em-  
31 ployee when the employee’s leave commenced no longer exists, an employer may, at the employer’s  
32 discretion based on business necessity, restore the eligible employee to a different position with  
33 similar job duties and with the same employment benefits and pay.

34 “(2)(a) During a period in which an eligible employee takes leave described under subsection (1)  
35 of this section, the employer shall maintain any health care benefits the employee had prior to  
36 taking such leave for the duration of the leave, as if the employee had continued in employment  
37 continuously during the period of leave. The employee must continue to make any regular contri-  
38 butions to the cost of the health insurance premiums.

39 “(b) Notwithstanding ORS 652.610 (3) and except as provided in paragraph (a) of this subsection,  
40 if the employer is required or elects to pay any part of the costs of providing disability, life or other  
41 insurance coverage for an eligible employee during the period of family leave that should have been  
42 paid by the employee, the employer may deduct from the employee’s pay such amounts upon the  
43 employee’s return to work until the amount the employer advanced toward the payments is paid. In  
44 no event may the total amount deducted for insurance under the provisions of this subsection exceed  
45 10 percent of the employee’s gross pay each period.

1 “(3) An eligible employee who has taken leave described under subsection (1) of this section does  
2 not lose any employment benefits, including seniority or pension rights, accrued before the date on  
3 which the leave commenced.

4 “(4)(a) **Before restoring an employee to a position under subsection (1) of this section**  
5 **after a period of medical leave, an employer may require that the employee receive certi-**  
6 **fication from the employee’s health care provider that the employee is able to resume work.**  
7 **Certification under this subsection may only be required pursuant to a uniformly applied**  
8 **practice or policy of the employer.**

9 “(b) **This subsection does not affect the ability of an employer to require an employee**  
10 **during a period of medical leave to report periodically to the employer on the employee’s**  
11 **status and on the employee’s intention to return to work.**

12 “[4] (5) It is an unlawful employment practice to discriminate against an eligible employee who  
13 has invoked any provision of this chapter.

14 “[5] (6) Nothing in this section entitles an eligible employee to accrue employment benefits  
15 during a period of leave or to a right, benefit or position of employment other than a right, benefit  
16 or position to which the employee would have been entitled had the employee not taken leave.

17 “[6)(a)] (7)(a) Nothing in this section requires an employer to retain a temporary worker who  
18 was hired to replace an eligible employee taking family leave, medical leave or safe leave after the  
19 eligible employee has returned to work.

20 “(b) A civil action may not be brought against an employer for taking any of the following  
21 actions necessary to restore an eligible employee to the position of employment held by the em-  
22 ployee as required under subsection (1) of this section:

23 “(A) Terminating the employment of a worker who was hired solely to temporarily replace an  
24 eligible employee during a period of leave; or

25 “(B) Removing an employee from a position to which the employee was transferred to tempo-  
26 rarily replace an eligible employee while the eligible employee was on leave, and returning the em-  
27 ployee to the position originally held by the employee prior to the transfer at the salary or rate of  
28 pay and benefits associated with the position.

29 “(c) An employer shall, either at the time of hire or before reassignment, inform a temporary  
30 worker or an employee who is reassigned to a position to temporarily replace an eligible employee  
31 during a period of leave of the information provided under this subsection.

32 “[7] (8) The protections provided under this section apply only to an eligible employee who  
33 was employed by the employer for at least 90 days before taking leave described under subsection  
34 (1) of this section.

35 “**SECTION 8.** ORS 653.616 is amended to read:

36 “653.616. An employee may use sick time earned under ORS 653.606:

37 “(1) For an employee’s mental or physical illness, injury or health condition, need for medical  
38 diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for  
39 preventive medical care.

40 “(2) For care of a family member with a mental or physical illness, injury or health condition,  
41 care of a family member who needs medical diagnosis, care, or treatment of a mental or physical  
42 illness, injury or health condition or care of a family member who needs preventive medical care.

43 “(3) Notwithstanding ORS 659A.153, for any other purpose specified in ORS 659A.159.

44 “(4) For a purpose specified in ORS 659A.272, notwithstanding ORS 659A.270 (1).

45 “(5) **For a purpose specified in ORS 657B.020.**

1        “[5] (6) To donate accrued sick time to another employee if the other employee uses the do-  
2 nated sick time for a purpose specified in this section and the employer has a policy that allows an  
3 employee to donate sick time to a coworker for a purpose specified in this section.

4        “[6] (7) In the event of a public health emergency. For purposes of this subsection, a public  
5 health emergency includes, but is not limited to:

6        “(a) Closure of the employee’s place of business, or the school or place of care of the employee’s  
7 child, by order of a public official due to a public health emergency;

8        “(b) A determination by a lawful public health authority or by a health care provider that the  
9 presence of the employee or the family member of the employee in the community would jeopardize  
10 the health of others, such that the employee must provide self care or care for the family member;  
11 or

12        “(c) The exclusion of the employee from the workplace under any law or rule that requires the  
13 employer to exclude the employee from the workplace for health reasons.

14        “**SECTION 9.** ORS 653.626 is amended to read:

15        “653.626. (1)(a) If an employee takes more than three consecutive scheduled workdays of sick  
16 time for a purpose described in ORS 653.616 (1) to [(4)] (5), an employer may require the employee  
17 to provide verification from a health care provider of the need for the sick time, or certification of  
18 the need for leave for purposes of ORS 659A.272 as provided in ORS 659A.280.

19        “(b) If the need for sick time is foreseeable and is projected to last more than three scheduled  
20 workdays and an employee is required to provide notice under ORS 653.621, the employer may re-  
21 quire that verification or certification be provided before the sick time commences or as soon as  
22 otherwise practicable.

23        “(c) If the employee commences sick time without providing prior notice required by the em-  
24 ployer under ORS 653.621:

25        “(A) Medical verification shall be provided to the employer within 15 calendar days after the  
26 employer requests the verification; or

27        “(B) Certification provided as specified in ORS 659A.280 shall be provided to the employer  
28 within a reasonable time after the employee receives the request for certification.

29        “(2) The employer shall pay any reasonable costs for providing medical verification or certi-  
30 fication required under this section, including lost wages, that are not paid under a health benefit  
31 plan in which the employee is enrolled.

32        “(3)(a) An employer may not require that the verification or certification required under this  
33 section explain the nature of the illness or details related to the domestic violence, sexual assault,  
34 harassment, or stalking that necessitates the use of sick time.

35        “(b) If an employer suspects that an employee is abusing sick time, including engaging in a  
36 pattern of abuse, the employer may require verification from a health care provider of the need of  
37 the employee to use sick time, regardless of whether the employee has used sick time for more than  
38 three consecutive days. As used in this paragraph, ‘pattern of abuse’ includes, but is not limited to,  
39 repeated use of unscheduled sick time on or adjacent to weekends, holidays, vacation days or pay-  
40 days.

41        “(4) As used in this section, ‘health care provider’ has the meaning given that term in ORS  
42 659A.150.

43        “**SECTION 10.** ORS 659A.156, as amended by section 16, chapter 20, Oregon Laws 2024, is  
44 amended to read:

45        “659A.156. (1) All employees of a covered employer are eligible to take leave for any of the



1 purposes specified in ORS 659A.150 to 659A.186 except:

2 “(a) An employee who was employed by the covered employer for fewer than 180 days imme-  
3 diately before the date on which the family leave would commence.

4 “(b) An employee who worked an average of fewer than 25 hours per week for the covered em-  
5 ployer during the 180 days immediately preceding the date on which the family leave would com-  
6 mence **unless the employee is based in Oregon and subject to federal regulations under 29**  
7 **C.F.R. part 825, subpart H, as in effect on January 1, 2025, and meets the hours of service**  
8 **requirement described in 29 C.F.R. 825.801 of those regulations.**

9 “(2) Notwithstanding subsection (1) of this section, all employees of a covered employer are eli-  
10 gible to take leave for any of the purposes specified in ORS 659A.150 to 659A.186 during a period  
11 of time covered by a public health emergency except:

12 “(a) An employee who worked for the covered employer for fewer than 30 days immediately be-  
13 fore the date on which the family leave would commence; or

14 “(b) An employee who worked for the covered employer for an average of fewer than 25 hours  
15 per week in the 30 days immediately before the date on which the family leave would commence.

16 “(3)(a) Notwithstanding subsection (1) of this section, an employee of a covered employer is eli-  
17 gible to take leave for any of the purposes specified in ORS 659A.150 to 659A.186 if the employee:

18 “(A)(i) Separates from employment with the covered employer, irrespective of any reason;

19 “(ii) Is eligible to take leave under subsection (1) of this section at the time the employee sep-  
20 arates; and

21 “(iii) Is reemployed by the covered employer within 180 days of separation from employment; or

22 “(B)(i) Is eligible to take leave under subsection (1) of this section at the beginning of a tempo-  
23 rary cessation of scheduled hours of 180 days or less; and

24 “(ii) Returns to work at the end of the temporary cessation of scheduled hours of 180 days or  
25 less.

26 “(b) Any family leave taken by the employee within any one-year period continues to count  
27 against the length of time of family leave the employee is entitled under ORS 659A.162.

28 “(c) The amount of time that an employee is deemed to have worked for a covered employer  
29 prior to a break in service due to a separation from employment or a temporary cessation of  
30 scheduled hours shall be restored to the employee when the employee is reemployed by the employer  
31 within 180 days of separation from employment or when the employee returns to work at the end  
32 of the temporary cessation of scheduled hours of 180 days or less.

33 “**SECTION 11. Section 2 of this 2025 Act becomes operative on January 1, 2026.**

34 “**SECTION 12. This 2025 Act takes effect on the 91st day after the date on which the 2025**  
35 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**”.