

# Multnomah Education Service District

Code: **GCBDA/GDBDA**  
Adopted: 1/18/11  
Revised/Readopted: 8/14/13; 4/15/14

## Family Medical Leave

The MESD will comply with all provisions of the:

1. Family and Medical Leave Act (FMLA) of 1993;
2. Oregon Family Leave Act (OFLA) of 1995;
3. Military Family Leave Act as part of the National Defense Authorization Act of 2008 and for Fiscal Year 2010;
4. Oregon Military Family Leave Act of 2009; and
5. Other applicable provisions of Board policies and negotiated agreements regarding family medical leave.

In order for an employee to be eligible for family leave benefits under federal law, he/she must have been employed by the MESD for at least 12 months and have worked at least 1250 hours during the past 12-month period.

In order to be eligible under state law, an employee must work an average of 25 hours per week and have been employed at least 180 days prior to the first day of the family medical leave of absence.

Federal and state leave entitlements generally run concurrently.

END OF POLICY

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### Legal Reference(s):

[ORS 332.507](#)  
[ORS 342.545](#)  
[ORS 659A.090](#)

[ORS 659A.093](#)  
[ORS 659A.096](#)  
[ORS 659A.099](#)

[ORS 659A.150 - 659A.186](#)  
[OAR 839-009-0200 to-0320](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2008).

National Defense Authorization Act of 2008, Public Law 110-181, Section 585(a).

Americans with Disabilities Act Amendments Act of 2008.

National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, Section 565.

### MESD Policy Cross Reference(s):

AC - Non-Discrimination  
ACA - Americans with Disabilities Act  
GAB - Position Descriptions  
GB - Personnel Policies  
GBE - Staff Health and Safety  
GCBDA - Leaves and Absences  
GCBDB - Return to Work