

Employers May Rescind Previously Protected Leave Under the Oregon Family Leave Act by June 1, 2024

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On March 20, 2024, Governor Tina Kotek signed into law Senate Bill 1515, which eliminated some qualifying reasons for leave under the Oregon Family Leave Act (OFLA) that overlapped with qualifying reasons for leave under Paid Leave Oregon, effective July 1, 2024.

Quick Hits

- The Oregon Bureau of Labor and Industries issued a temporary administrative order addressing the fact that some employers will have approved employees take OFLA leave for reasons that, as of July 1, 2024, will no longer qualify for OFLA leave but will qualify for Paid Leave Oregon.
- Employers must notify employees no later than June 1, 2024, that their leave will no longer be protected by OFLA on or after July 1, 2024.

On May 8, 2024, the Oregon Bureau of Labor and Industries issued a [temporary administrative order](#) to address the fact that some employers will have approved employees take OFLA leave for reasons that, as of July 1, 2024, [will no longer qualify for OFLA leave but that will qualify for Paid Leave Oregon](#).

Under the temporary administrative order, Oregon employers may rescind a designation or approval of protected leave under OFLA that is scheduled to occur on or after July 1, 2024. However, as soon as practicable, but no later than **June 1, 2024**, employers must notify such employees, in writing and in the language the employer typically uses to communicate with them, that their leave will no longer be protected by OFLA on or after July 1, 2024.

Employers must also provide these employees with information that informs them of their ability to apply for benefits with Paid Leave Oregon or the administrator of the employer's equivalent plan, including the relevant contact information. An employer must also provide this information in writing to an employee who provides sufficient information to allow the employer to provisionally designate

leave under OFLA prior to July 1, 2024. In such cases, the information must be provided “[a]s soon as practicable but within 14 calendar days.”

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