

### **OFLA COVID-19 SICK CHILD LEAVE OVERVIEW**

The Oregon Family Medical Leave Act (OFLA) has issued a temporary expansion of OFLA Sick Child Leave to include caring for a child/children whose school or place of care is closed, or childcare provider is unavailable, due to COVID-19 related reasons and no other suitable person, such as a co-parent, co-guardian, or the usual childcare provider is available to care for the child/children during the period this time. This leave is currently available through 3/12/21.

BOLI broadly defines “childcare provider” to include any “place of care” or person who cares for a child. “Place of care” includes day care facilities, preschools, before and after school care programs, schools, homes, summer camps, summer enrichment programs, and respite care programs. The physical location does not have to be solely dedicated to such care. A person caring for a child includes nannies, au pairs, babysitters, and individuals who regularly provide childcare at no cost, for example, grandparents, aunts, uncles, or neighbors.

BOLI has defined “closure” during a statewide public health emergency declared by a public health official to mean “a closure that is ongoing, intermittent, or recurring and restricts physical access to the child’s school or childcare provider.” Under this broad definition, it is reasonable to conclude that periods of required distance learning fall within the statutory scope.

Employees must meet OFLA eligibility criteria and have OFLA entitlement available to use. This will be determined upon receipt of your request and is dependent on the dates of your leave.

This leave can be used on an intermittent basis, including on an altered or reduced work schedule because of the intermittent or recurring closure of a child’s school or childcare provider due to a statewide public health emergency. **If using this leave intermittently, you must provide your supervisor with advanced notice of when you will be available for work and when you will be using this leave.**

Employees are required to exhaust all accrued sick leave prior to using vacation, other accrued leave or leave without pay. Please refer to your union contract regarding options for retaining vacation.

Employees using this leave are responsible for communicating their schedule and any changes to their supervisor.

For questions, please e-mail [leaveadmin@clackamas.us](mailto:leaveadmin@clackamas.us) or click [here](#) to find the OFLA Covid-19 Sick Child Leave Request form, how to submit information or to find the Leave Administration Analyst and contact information for your department.