

Program Comparison

- Paid Leave Oregon
- [Oregon Family Leave Act \(OFLA\)](#)
- [Family and Medical Leave Act \(FMLA\)](#)
- [Oregon Sick Leave](#)

Paid Leave Oregon and the Oregon Bureau of Labor & Industries created this chart as a general program comparison. It is not intended to provide legal or financial advice and does not cover all possible exceptions. Each program has different qualifications and factors that determine eligibility. Contact each agency directly to determine eligibility for their programs.

ELIGIBILITY REQUIREMENTS	Paid Leave Oregon	OFLA	FMLA	Oregon Sick Leave
Covered employers	All employers except federal or Tribal governments	Employers with 25 or more employees	Employers with 50 or more employees and all public employers	All employers except the federal government ¹
Wages required to be eligible for leave	\$1,000 in wages during the base or alternate base year	n/a	n/a	n/a
Required time worked for employer before taking leave and before job protection applies	No work time requirement for Paid Leave benefits, but must have worked 90 days to have job protection	180 days ²	12 months	90 days ³
Required hours worked to be eligible for leave from that employer	n/a	25 hours/week in past 180 days ⁴	1,250 hours in the 12 months prior to leave	n/a
Geographic requirement	n/a	Employee must be employed in Oregon	Location with 50 employees within 75 miles	Employee must be employed in Oregon
Eligibility requirement				
Not a requirement				

¹ Employers who employ 10 or more employees (or 6 or more if the employer has a location in the city of Portland) must provide paid sick leave.

² 30 days during a declared public health emergency.

³ An employer may allow an employee to use sick leave prior to the 91st day of employment.

⁴ 30 days during a declared public health emergency.

QUALIFYING PURPOSES	Paid Leave Oregon	OFLA	FMLA	Oregon Sick Leave
Family Leave				
Birth, adoption or foster placement (includes leave for the legal process before adoption or foster placement)	Yes	No	Yes	Yes
Family member's serious health condition (family member definitions vary)	Yes	Yes (only for the employee's child, see sick child below)	Yes	Yes
Medical Leave				
Person's own serious health condition	Yes	Yes (only for a pregnancy disability)	Yes	Yes
Safe Leave				
Domestic violence, sexual assault, harassment, bias, or stalking	Yes	No Reasonable safety accommodations under ORS 659A may include leave.	No	Yes
Other Leave Types				
Extended leave for a pregnancy	Yes	Yes	No	Yes
Sick child leave	Yes (only for a serious health condition)	Yes	No	Yes
Military family leave	No	Counts against available OFLA	Yes	No
Bereavement leave	No	Yes (Up to 2 weeks per occurrence, 4 weeks per year)	No ⁵	Yes

⁵ An employee may take FMLA qualifying exigency leave when the employee's military family member dies in the line of duty.

QUALIFYING PURPOSES	Paid Leave Oregon	OFLA	FMLA	Oregon Sick Leave
Public health emergency	No	Yes Active public health emergency allows for sick child leave for school or childcare closures.	No	Yes
Covered				
Not Covered				

LEAVE LENGTH AND BENEFIT PAYMENTS	Paid Leave Oregon	OFLA	FMLA	Oregon Sick Leave
Leave length (most cases)	12 weeks in a one-year period	12 weeks in a one-year period	12 weeks in a one-year period	40 hours in a one-year period (1 sick time hour earned for every 30 hours worked or 40 hours available at the beginning of the year)
Maximum leave length (for certain combinations of leave types)	14 weeks in a one-year period	24 weeks in a one-year period	26 weeks in a one-year period	Employers may cap use at 40 hours per year
Payment	Paid leave	Unpaid leave	Unpaid leave	Paid leave for employers with 10 or more employees (6 or more in Portland)
Benefit amount	Varies based on employee's average weekly wage. Up to 100% for lower-income employees.	n/a	n/a	100% of regular wages

LEAVE LENGTH AND BENEFIT PAYMENTS	Paid Leave Oregon	OFLA	FMLA	Oregon Sick Leave
Use of other paid leaves	Up to 100% of wage replacement	Employers or Employees may apply available paid leaves	Employers or Employees may apply available paid leaves	n/a