

**Oregon Addendum**

This addendum contains provisions required by state and/or local law that apply only to the Organization’s Oregon employees. There is no intent, explicit or implied, to extend any of the provisions below to the Organization’s employees outside of the state of Oregon. Where the Handbook is silent or in conflict with any of the provisions below, the contents of this Addendum shall control.

**Oregon Family Leave Act (OFLA) and Oregon Military Family Leave Act**

*Permitted Uses*

Employees can take unpaid family leave for the following reasons:

* Parental Leave during the year following the birth of a child or adoption or foster placement of a child under 18, or a child 18 or older incapable of self-care because of a mental or physical disability. Parental leave also includes leave to effectuate the legal process required for foster placement or adoption.
* Serious health condition leave for the employee’s own serious health condition, or to care for a “qualifying family member,” which is a spouse, same-gender domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, step parent, parent in law, parent of same-gender domestic partner, grandparent, grandchild, a person whom the employee is or was a relationship of in loco parentis, biological, adopted, foster or step child of an employee or the child of an employee’s same-gender domestic partner.
  + “Serious health condition” also includes any period of absence for the donation of a body part, organ or tissue, including preoperative or diagnostic services, surgery, post-operative treatment and recovery.
* Pregnancy disability leave taken by a female employee for an incapacity related to pregnancy or childbirth, occurring before or after the birth of the child, or for prenatal care.
* Sick child leave taken to care for an employee’s child with an illness or injury that requires home care but is not a serious health condition.
* Bereavement leave to deal with the death of a qualifying family member.
* Oregon Military Family Leave is taken by the spouse or same gender domestic partner of a service member who has been called to active duty or notified of an impending call to active duty or is on leave from active duty during a period of military conflict.

Although leave is unpaid, employees are entitled to use any accrued paid vacation, sick or other paid leave.

*Eligibility*

To be eligible for leave, workers must be employed for the 180-day calendar period immediately preceding the leave and haveworked at least an average of 25 hours per week during the 180-day period. However, there are circumstances under which the eligibility factors may be relaxed. (1) For parental leave, workers are eligible after being employed for 180 calendar days, without regard to the number of hours worked. (2) For Oregon Military Family Leave, workers are eligible if they have worked at least an average of 20 hours per week, without regard to the duration of employment. (3) For certain Workers Compensation injuries involving denied and then accepted claims and for certain accepted claims involving more than one employer. (4) When an employee is caring for a qualifying family member with a serious health condition and the same qualifying family member dies, the employee need not requalify with the 25 hour per week average to be eligible for bereavement leave.

*Interaction with FMLA*

Family and Medical Leave Act (FMLA) leave is also counted as OFLA if it is also an OFLA-qualifying circumstance, provided the Organization was covered by both laws and if the employee was eligible under both laws at the time the leave was taken. For example, if an employee needs 10 weeks to care for a parent with a serious health condition, the 10 weeks are counted against both OFLA and FMLA leave entitlements, and the employee has two weeks of leave left in the year.

*Amount of Leave*

Employees are generally entitled to a maximum of 12 weeks of family leave within the Organization’s 12-month leave year. The 12-month period is a rolling period measured backward from the date an employee uses any leave. A woman using pregnancy disability leave is entitled to 12 additional weeks of leave in the same leave year for any qualifying OFLA purpose. A man or woman using a full 12 weeks of parental leave is entitled to take up to 12 additional weeks for the purpose of sick child leave. Employees are entitled to two (2) weeks of bereavement leave to be taken within 60 days of the notice of the death of a qualifying family member. A spouse or same gender domestic partner of a service member is entitled to a total of 14 days of leave per deployment after the military spouse has been notified of an impending call or order to active duty and before deployment and when the military spouse is on leave from deployment.

*Notice and Medical Certification*

Employees are required to give 30 days’ written notice in advance of leave, unless the leave is taken for an emergency. However, in an emergency, employees must give at least verbal notice to their supervisor within 24 hours of starting a leave.

SJVCi will require medical verification from a health care provider if an employee is taking leave under the OFLA to: (1) care for a qualifying family member with a serious health condition; (2) recover from or seek treatment for a serious health condition; or (3) care for a child of the employee who is suffering from an illness, injury, or condition that is not serious but requires home care. The medical verification must be provided prior to the commencement of the leave. If an employee takes a leave without first giving notice, then he or she must provide verification within fifteen (15) days of the SJVCi’s request for the verification.

SJVCi will also require medical verification from an employee who takes leave to care for an ill or injured child requiring home care, but only if the employee has taken more than three (3) days of such leave in a one-year period. (SJVCi will pay the costs for verification of this specific event, and it will not require an employee to obtain an opinion from a second health care provider.)

An employee taking leave due to the employee's or a qualifying family member's serious health condition must make a reasonable effort to schedule treatment or care at times that would minimize the disruption to the SJVCi's operations.

*Return and Group Health Insurance*

Employees are entitled to group health insurance benefits during family leave as if they continued working. SJVCi will return employees to their former jobs or to equivalent jobs if the former position no longer exists. However, employees on protected leave are still subject to nondiscriminatory employment actions such as layoff or discipline that would have

been taken without regard to the employee’s leave. Prior to restoring an employee to his or her position, SJVCi will require that an employee submit certification from the employee's health care provider indicating that the employee is released to return to work.

**Meal and Rest Periods**

*Meal Periods*

The Organization provides each non-exempt employee with an unpaid 30-minute, duty-free meal break for every work period six (6) to eight (8) hours in duration. If the work period is seven (7) hours or less, the meal period may be taken after the conclusion of the second hour worked and must be completed prior to the commencement of the fifth hour worked. If the work period is more than seven (7) hours, the meal period may be taken after the conclusion of the third hour worked and must be completed prior to the commencement of the sixth hour worked. Meal breaks are not required for shifts less than six (6) hours in duration. “Duty-free” means that the employee is relieved of all duties for the full uninterrupted 30-minute meal period, which includes the right to engage in personal activities, not be on-call, and to leave the premises if the employee so desires. Uninterrupted, duty-free meal periods for non-exempt employees will be unpaid.

Meal periods must be accurately reported in the Organization’s timekeeping system. If an eligible employee finds they cannot take a full 30-minute uninterrupted, duty-free meal period because of the direction of a supervisor or other demands of the job, the employee must accurately report the time taken for the meal period, if any, on their time card and inform [AskHR@embered.com](mailto:AskHR@embered.com) of the reason why a full 30-minute uninterrupted meal break could not be taken.

*Rest Periods*

Non-exempt employees are authorized to take one paid duty-free 10-minute rest period during each four (4) hours of work or major fraction of hours. Depending on the total number of hours worked in a workday, a non-exempt employee may be entitled to additional rest periods. Each rest break will be authorized and permitted near the midpoint of each work period, insofar as practicable. Rest periods may not be combined with each other or added to an employee’s meal period. “Duty-free” means that the employee is relieved of all duties for the full uninterrupted 10-minute meal period, which includes the right to engage in personal activities, not be on-call, and to leave the premises if the employee so desires.

Rest periods are not required to be recorded in the SJVCi’s timekeeping system. However, if an employee finds he or she cannot take a required rest break because of the direction of a supervisor or other demands of the job, the employee must inform [AskHR@embered.com](mailto:AskHR@embered.com) of the reason why the rest break could not be taken.

*Complaint Procedures*

If an employee believes he or she is in any manner being directed, impeded, or discouraged from taking a required meal or rest break under this policy, the employee should immediately report the situation to [AskHR@embered.com](mailto:AskHR@embered.com), which will undertake a prompt, thorough investigation of any such complaints and take appropriate corrective action where necessary. The Organization strictly prohibits retaliation against any employee for reporting meal or rest period violations.

**Reasonable Accommodations for Pregnancy**

SJVCi will make reasonable accommodations for known physical or mental disabilities of an applicant or employee as well as known limitations related to pregnancy, childbirth or a related medical condition, such as lactation, unless the accommodation would cause an undue hardship. Among other possibilities, reasonable accommodations could include: Acquisition or modification of equipment or devices; more frequent or longer break periods or periodic rest; assistance with manual labor; modification of work schedules or job assignments; or an unpaid leave of absence (paid sick leave and vacation may be used by the employee to cover any absences). SJVCi will not:

* Deny employment opportunities on the basis of a need for reasonable accommodation
* Deny reasonable accommodation for known limitations, unless the accommodation would cause an undue hardship.
* Take an adverse employment action, discriminate or retaliate because the applicant or employee has inquired about, requested or used a reasonable accommodation.
* Require an applicant or an employee to accept an accommodation that is unnecessary.
* Require an employee to take family leave or any other leave, if the SJVCi can make reasonable accommodation instead.

To request an accommodation under this policy, please contact [AskHR@embered.com](mailto:AskHR@embered.com).

**Domestic Violence Leave and Reasonable Accommodations**

SJVCi will provide reasonable leave and safety accommodations for employees who are victims of domestic violence, harassment, sexual assault, or stalking regardless of how long or how many hours he or she has worked for the Organization. These protections will also extend to an employee who is the parent or guardian of a minor child or dependent who is a victim of domestic violence, harassment, sexual assault, or stalking. “Reasonable safety accommodation” may include, but is not limited to, a transfer, reassignment, modified schedule, unpaid leave from employment, changed work telephone number, changed workstation, installed lock, implemented safety procedure or any other adjustment to

a job structure, workplace facility or work requirement in response to actual or threatened domestic violence, harassment, sexual assault or stalking. Any leave taken under this policy will be unpaid, although an employee should feel free to use any vacation or paid sick leave that is available during this period.

Employees may take leave for the following purposes:

* To seek legal or law enforcement assistance to ensure the health and safety of the employee or the employee’s minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings.
* To seek medical treatment for, or to recover from, injuries to the eligible employee or the employee’s minor child or dependent.
* To obtain or to assist a minor child or dependent in obtaining counseling from a licensed mental health professional.
* To obtain services from a victim services provider for the eligible employee or the employee’s minor child or dependent.
* To relocate or take steps to secure an existing home to ensure the health and safety of the eligible employee or the employee’s minor child or dependent.

Employees must give reasonable advance notice of his or her intention to take leave, unless giving advance notice is not practicable. SJVCi also will require employees to provide certification that the employee or the employee’s minor child or dependent is a victim of domestic violence, harassment, sexual assault, or stalking.

To request an accommodation under this policy, please contact [AskHR@embered.com](mailto:AskHR@embered.com).

**Personnel and Wage Records Access**

In accordance with the rights and limitations provided by applicable state law, the Organization will provide an employee access to his or her personnel, time, and/or pay records upon request. Any such request must in writing an submitted to [AskHR@embered.com](mailto:AskHR@embered.com).