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**Bill Guaranteeing Continuation of Health Insurance Coverage During OFLA Leave (HB 2600)
Heads to Governor's Desk**

(Salem, Ore.) — Today the Oregon Senate voted 20 to 10 to pass HB 2600, a bill that will align the Oregon Family Leave Act (OFLA) with FMLA's continuation of group health insurance coverage when employees are out on leave. This change will only be applicable to employers covered by OFLA, but not by FMLA – or to put more simply, employers of 25-49 employees. Without this added protection, it was possible that some employees could lose their health insurance coverage when they were out on protected family or medical leave, right when they needed it most.

The House of Representatives voted to pass the bill 38 to 16 on March 20th.

Family Forward Oregon supports ensuring that no employee covered by the Oregon Family Leave Act (OFLA) will face a loss of health insurance while they are on protected medical leave:

"Today our state legislature took a welcome step to help working families stay healthy and economically secure when their health or family caregiving responsibilities require them to be away from work for an extended time," said Family Forward's Executive Director Andrea Paluso. "Oregon has long been a leader when it comes to family leave. I'm pleased to see this renewed attention to supporting the challenging intersection of work and health and family caregiving. It's time!"

The bill's champion, Rep. Barbara Smith Warner, was very pleased to see the bill pass the Senate this morning:

"Today we made the Oregon Family Leave Act, a law we are respected for around the nation, even stronger with this common-sense health coverage protection, said Rep. Smith Warner. "It's important to me — and my constituents — that our legislature support public policies like HB 2600 that help working families stay economically secure when faced with life's inevitable health and family caregiving challenges. When we do, we're helping Oregonians, their communities, and our economy do better."

Background:

Oregon has always been a leader nationally on family and medical leave. In 1987 we were one of the first states to enact parent leave. In 1989, pregnancy disability leave was added to parental leave

and in 1991 Oregon enacted the Family Medical Leave Act. Oregon's leave laws were considered as a model for FMLA, which was enacted in 1993. After FMLA was passed, Oregon repealed all of our previous leave laws to enact OFLA in 1995.

In a number of areas, Oregon made a conscious decision to provide more protections than were found in the federal law, like including protections for sick child leave and covering more employers than FMLA. The primary difference between OFLA and FMLA is the employer threshold size that they are applicable to: OFLA applies to employers of 25 or more employees whereas FMLA applies to employers of 50 or more. Employers of 50 or more employees are covered by both OFLA and FMLA. While both laws are very similar, there are some key differences between the two and generally OFLA has more protections for employees. In those instances an employer must apply the provision that is most protective to the employee.

There was one discrepancy, however, where FMLA provided a protection not found in OFLA: FMLA specifically prohibits an employer from dropping health insurance coverage (if provided by the employer) while an employee is out on protected leave whereas OFLA did not.

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Bill Overview:

The federal Family and Medical Leave Act (FMLA) entitles eligible employees who work for covered employers to take unpaid, job-protected leave for specified family and medical reasons. If an employee is provided group health insurance, the employee is entitled to the continuation of the group health insurance coverage during FMLA leave on the same terms as if they had continued to work. The employee must continue to make any normal contributions to the cost of the health insurance premiums. The Oregon Family Leave Act (OFLA) does not include the requirement that the employee's group health insurance coverage continue during protected leave. In general, employers with 50 or more employees are covered under FMLA, and employers with 25 or more employees are covered under OFLA. House Bill 2600 aligns OFLA with FMLA's continuation of group health insurance coverage.

OLIS: <https://olis.leg.state.or.us/liz/2015R1/Measures/Overview/HB2600>

About Family Forward Oregon:

Family Forward Oregon strives to create a family-forward Oregon where *all* Oregon women and their families can be economically secure and family caregiving responsibilities are no longer a barrier.

- Learn more: <http://www.familyforwardoregon.org>
- Twitter: <http://www.twitter.com/familyforward>
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