

HB 3491-2
(LC 2905)
4/7/25 (JAS/ps)

Requested by Representative GRAYBER

**PROPOSED AMENDMENTS TO
HOUSE BILL 3491**

1 Delete lines 4 through 9 of the printed bill and insert:

2 **“SECTION 1. Sections 2 and 3 of this 2025 Act are added to and**
3 **made a part of ORS chapter 657B.**

4 **“SECTION 2. (1) Not later than June 30, 2026, the Bureau of Labor**
5 **and Industries and the Employment Department shall prepare and**
6 **submit a joint report in the manner described in ORS 192.245 to an**
7 **interim committee of the Legislative Assembly related to business and**
8 **labor. The report must provide recommendations for statutory**
9 **changes necessary to:**

10 **“(a) Establish job and retaliation protections for partial-day leave**
11 **taken under the leave provisions of chapter 657B.**

12 **“(b) Address the need for continued protection for employees whose**
13 **employers are not subject to the federal Family and Medical Leave Act**
14 **of 1993 (P.L. 103-3), and for whom job and retaliation protections for**
15 **partial-day leave are no longer available as a result of the enactment**
16 **of chapter 20, Oregon Laws 2024 (Enrolled Senate Bill 1515 (2024)).**

17 **“(2)(a) The Employment Department shall study and report on the**
18 **feasibility, implementation and cost differences associated with a pol-**
19 **icy that allows for a covered individual to take protected leave under**
20 **ORS chapter 657B in partial-day increments.**

21 **“(b) At a minimum, the study must:**

1 “(A) Analyze the potential impacts and projected costs of imple-
2 menting a partial-day leave policy over the following timelines:

3 “(i) A three-year timeline;

4 “(ii) A five-year timeline; and

5 “(iii) A ten-year timeline.

6 “(B) Assess the cost impacts of implementing a partial-day family
7 and medical leave policy for employers of different sizes and types in-
8 cluding:

9 “(i) Small businesses; and

10 “(ii) Employers that are subject to the predictive work scheduling
11 provisions in ORS 653.412 to 653.485.

12 “(C) Examine the cost differentials associated with alternative
13 methods for implementing a partial-day leave policy that include, but
14 are not limited to:

15 “(i) Providing partial-day leave for an employee’s own medical leave
16 or safe leave;

17 “(ii) Providing partial-day leave to care for a family member;

18 “(iii) Limiting partial-day leave to four-hour increments;

19 “(iv) Capping the amount of leave that may be taken in small in-
20 crements of time, such as hourly or in units of time that are less than
21 hourly; and

22 “(v) Providing different partial-day leave options based on different
23 types of qualifying purposes for which leave may be taken.

24 “(c) No later than December 31, 2026, the Employment Department
25 shall submit a report, in the manner provided in ORS 192.245, to the
26 interim committees of the Legislative Assembly related to business
27 and labor on the findings of the study described in this subsection,
28 including recommendations for legislative changes.

29 “(3)(a) The Bureau of Labor and Industries and the Employment
30 Department shall study and report on the potential cost savings and

1 impacts resulting from the repeal of the unpaid leave provisions of
2 ORS 659A.150 to 659A.186. The study must:

3 “(A) Examine the practical and financial implications of consol-
4 idating the unpaid leave protections under ORS 659A.150 to 659A.186
5 into the paid family and medical leave insurance program established
6 under ORS 657B.340.

7 “(B) Explore how the paid family and medical leave program could
8 operate in concurrence with the leave provisions of the federal Family
9 and Medical Leave Act of 1993 (P.L. 103-3).

10 “(b) No later than December 31, 2026, the Bureau of Labor and In-
11 dustries and the Employment Department shall submit a joint report,
12 in the manner provided in ORS 192.245, to the interim committees of
13 the Legislative Assembly related to business and labor on the findings
14 of the study described in this subsection, including recommendations
15 for legislative changes.

16 “(4)(a) The Employment Department shall develop a strategic plan
17 for addressing necessary changes to transition the department’s in-
18 formation systems to be able to facilitate the processing of claims for
19 benefits for leave that is taken in partial-day increments.

20 “(b) At a minimum, the plan must:

21 “(A) Identify the specific changes to the department’s information
22 systems that must be made.

23 “(B) Include a timeline for phasing in the changes to the
24 department’s information systems provided that the timeline no later
25 than 10 years after the date on which the plan is reported to the Leg-
26 islative Assembly.

27 “(C) Include an estimate of the projected costs of implementing the
28 system changes based on, and with respect to, each of the following
29 implementation timelines occurring after the date on which the plan
30 is reported to the Legislative Assembly under paragraph (c) of this

1 subsection:

2 “(i) A three-year timeline;

3 “(ii) A five-year timeline; and

4 “(iii) A ten-year timeline.

5 “(c) No later than December 31, 2026, the Employment Department
6 shall submit a report, in the manner provided in ORS 192.245, to the
7 interim committees of the Legislative Assembly related to business
8 and labor on the details of the plan described in this subsection, in-
9 cluding recommendations for legislative changes.

10 **SECTION 3.** (1)(a) An employer shall provide to each of the
11 employer’s employees a written guidance document that briefly sum-
12 marizes the qualifying purposes for which an employee may take leave
13 under the provisions of ORS chapter 657B in relation to the qualifying
14 purposes for which an employee may take leave under the provisions
15 of ORS 653.601 to 653.661 and 659A.150 to 659A.186. An employer shall
16 provide the written guidance document to an employee at the time of
17 hire and whenever the employee inquires about taking leave under the
18 provisions of ORS chapter 657B, submits a request for leave under ORS
19 chapter 657B or invokes any provision of ORS chapter 657B.

20 “(b) An employer shall provide the written guidance document de-
21 scribed in paragraph (a) of this subsection to each requesting employee
22 in the form and manner as prescribed by the Employment Department
23 by rule.

24 “(2) The Employment Department shall collaborate with the Bureau
25 of Labor and Industries to:

26 “(a) Develop and make available to employers a model written
27 guidance document that employers may use to satisfy the require-
28 ments under subsection (1) of this section;

29 “(b) Provide the model written guidance document in English and
30 Spanish;

1 “(c) To the extent practicable, translate the model written guidance
2 document into other languages, if so requested; and

3 “(d) Update and make available to employers, by October 1 of each
4 year, the model written guidance document for the following year.

5 “(3) An employer’s failure to provide the written guidance docu-
6 ment in compliance with the requirements of this section constitutes
7 an unlawful employment practice under ORS 657B.070 (1)(b).

8 “SECTION 4. Section 2 of this 2025 Act is repealed on January 2,
9 2027.”.

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