



Date: July 24, 2023

Notice: Eastern Oregon University Change in the Federal Family Medical Leave Act (FMLA) Leave Calculation Method and Measurement Period

The Federal Family and Medical Leave Act (FMLA) provides eligible employees with 12 weeks of qualifying leave within a 12-month period.

Effective September 1, 2023, Eastern Oregon University will change its method for calculating an employee's available FMLA leave from a 12-month "rolling backward" to a 12-month "rolling forward" measurement period in order to properly align federal and state leave benefit periods.

- **Using the "rolling-backward" measurement period**, the current process is to "count or look backward" for 12 months prior to the leave effective date and add the total amount of FMLA used (if any) during that look-back period. If leave was used, that time is then subtracted from the employee's 12-week maximum entitlement. The remaining balance is the amount of FMLA-protected leave currently available for the employee's use.
- **Using the "rolling-forward" measurement period**, EOU's method for calculating the 12 weeks of available leave will "count or look forward" for the 12-month period measured forward from the date the employee's leave begins.

This change of leave period determination is effective September 1, 2023 in order to most closely align the FMLA measurement period with the mandated changes to the Oregon Family Leave Act (OFLA) and the new Paid Leave Oregon (PLO) measurement periods. Contact the HR Department or see below for the technical measurement period definitions.

During the initial implementation period employees currently using their federal FMLA entitlement will not be negatively impacted as a result of the change in calculation method.

Please contact Jacquie Naegle, Assistant HR Director/Benefits Manager, with questions: jnaegle@eou.edu, 541-962-3087.

Leave Measurement Periods

CFG Part 825 FMLA of 1993: "The 12-month period measured forward from the date any employee's first FMLA leave under paragraph (a) begins.

SB999 (OFLA) – A period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave commences.

OAP 471-070-1000 (PFMLI) – (3) "Benefit year" means a period of 52 consecutive weeks beginning on Sunday immediately preceding the day that family, medical, or safe leave commences for the claimant, except that the benefit year shall be 53 weeks if a 52-week benefit year would result in an overlap of any quarter of the base year of a previously filed valid claim. A claimant may only have one valid benefit year at a time.