



PERMANENT ADMINISTRATIVE ORDER

BLI 13-2025

CHAPTER 839

BUREAU OF LABOR AND INDUSTRIES

FILED

12/19/2025 1:42 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Amends rule to update permissible uses of sick time.

EFFECTIVE DATE: 01/01/2026

AGENCY APPROVED DATE: 12/15/2025

CONTACT: Josh Nasbe

971-269-4431

josh.d.nasbe@boli.oregon.gov

1800 SW 1st Ave, Suite 500

Portland, OR 97232

Filed By:

Josh Nasbe

Rules Coordinator

AMEND: 839-007-0020

NOTICE FILED DATE: 10/20/2025

RULE SUMMARY: Amends rule to update permissible uses of sick time.

CHANGES TO RULE:

839-007-0020

Permissible Use of Sick Time ¶¶

Pursuant to ORS 653.616 and these rules an employee may use sick time for any of the following:¶¶

- (1) For an employee's mental or physical illness, injury or health condition; need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or need for preventive medical care.¶¶
- (2) For care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or care of a family member who needs preventive medical care.¶¶
- (3) For the following purposes under ORS 659A.159 to 659A.186:¶¶
 - (a) For bereavement leave, ~~child placement~~ leave or pregnancy disability leave, as those terms are described in OAR 839-009-0230.¶¶
 - (b) To care for a child of the employee who is suffering from an illness, injury or condition that requires home care or who requires home care due to the closure of the child's school or child care provider as a result of a public health emergency.¶¶
- (4) For the following purposes specified in ORS 659A.272:¶¶
 - (a) To seek legal or law enforcement assistance or remedies 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 related to domestic violence, harassment, sexual assault or stalking.¶¶
 - (b) To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to or harassment or stalking of the eligible employee or the employee's minor child or dependent.¶¶
 - (c) To obtain, or to assist a minor child or dependent in obtaining, counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault or stalking.¶¶
 - (d) To obtain services from a victim services provider for the eligible employee or the employee's minor child or dependent.¶¶
 - (e) To relocate, pursuant to OAR 839-009-0345, 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.¶¶
- (5) For a purpose specified in ORS 657B.020.¶¶

(6) To donate accrued sick time to another employee if the other employee uses the donated sick time for a purpose specified in this rule and the employer has a policy that allows an employee to donate sick time to a coworker for a purpose specified in this rule.¶¶

(6Z) In the event of a public health emergency, including, but not limited to:¶¶

(a) Closure of the employee's place of business, or the school or place of care of the employee's child, by order of a public official due to a public health emergency;¶¶

(b) A determination by a lawful public health authority or by a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others, such that the employee must provide self-care or care for the family member;¶¶

(c) The exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons;¶¶

(d) The following public health emergencies are permissible uses of sick leave unless the employee is employed as a first responder:¶¶

(A) An emergency evacuation order of level 2 (SET) or level 3 (GO) issued by a public official with the authority to do so, if the affected area subject to the order includes either the location of the employer's place of business or the employee's home address; or¶¶

(B) A determination by a public official with the authority to do so that the air quality index or heat index are at a level where continued exposure to such levels would jeopardize the health of the employee.¶¶

(78) ~~For purposes authorized under ORS chapter 657B, including during periods of time blood donation that is made in connection with the absence for which paid sick leave is taken also qualifies as family or voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross.~~ For purposes authorized under ORS chapter 657B, including during periods of time blood donation that is made in connection with the absence for which paid sick leave is taken also qualifies as family or voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross.

Statutory/Other Authority: ORS 651.060, ORS 653.601-653.661

Statutes/Other Implemented: ORS 653.601-653.661