Oregon Sick Leave

Oregon employers generally must provide sick leave to each employee. The following chart explains the law and its requirements in detail.

Which Employees and Employers Are Covered?	Most Oregon employers and employees.
Must an Employer Compensate Leave?	Yes, at the employee's regular rate of pay and benefits, if the employer has **10 or more employees** in Oregon or **6 employees** in Portland. However, an employee is not entitled to payment of unused paid sick leave upon termination. Employers with **1-9 employees** must provide **unpaid** sick leave.
How Much Leave May an Employee Accrue and Use?	At least **40 hours every year**. Employers may limit the carryover of unused sick leave from one year to the next to 40 hours, and cap total accrual at 80 hours.
How Does an Employee Accrue Leave?	For every **30 hours** worked, employees accrue **1 hour** of leave.
When Can Employees Begin Accruing and Using Leave?	Employees begin accruing sick leave when they begin work. Employees may use sick leave beginning on their 91st day of employment.

For What Purposes May Employees Use Sick Leave?	• To care for the employee or the employee's family member with a 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.
	• To care for an infant or newly adopted or placed foster child under 18 years of age within 12 months after the birth or placement of the child.
	• To recover from treatment for a health condition that renders the employee unable to perform at least one of the essential functions of his or her regular position.
	• To attend to matters associated with the death of a family member.
	• To recover from or attend matters related to domestic violence, harassment, sexual assault, or stalking.
	• In the event of a public health emergency, including:
	  ○ 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;
	  ○ 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;
	  ○ 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;

	○ A level 2 (SET) or level (GO) emergency evacuation order issued by a public official covering the employer's place of business or the employee's home address (not available for workers employed as first responders); or ○ A determination by a public official that the air quality index or heat index are at a level where continued exposure would jeopardize the employee's health (not available for workers employed as first responders). Click here for additional important information.
Are Employers Required to Post or Provide Employees with Notices Regarding the Law?	Yes. Employer must: 1. Provide a notice to the employee by the end of his or her first pay period. 2. Provide **quarterly** notifications to employees of their amounts of accrued and unused sick leave.
May Employers Require Notice When Employees Use Leave?	Yes. If the leave is foreseeable, up to **10 days' notice**, or as soon as practicable. For unforeseeable leave, the employee must provide notice before the start of his or her shift if possible, or as soon as practicable. **Notably, the employer must provide employees its written policy for providing notice**.
May Employers Require Documentation for Leave?	Yes. Employers may require medical verification if: • An employee takes sick leave for more than 3 days in a row; • The need for sick leave is foreseeable and will last more than 3 days in a row; • An employee takes sick leave without providing the notice required by the employer; or • An employer has enough evidence to suspect an employee is abusing sick leave. **Notably, the employer must provide employees its written policy for providing medical verification**.

Additional requirements and exceptions to the information above may apply. For more information, please contact the Oregon Bureau of Labor and Industries at 971-673-0761.

Please Note: The state laws summaries featured on this site are for general informational purposes only. In addition to state law, certain municipalities may enact legislation that imposes different requirements. State and local laws change frequently and, as such, we cannot guarantee the accuracy or completeness of the information featured in the State Laws section. For more detailed information regarding state or local laws, please contact your state labor department or the appropriate local government agency.