



## HRAR-6.08 - Funeral and Bereavement Leave

Administrative Rules Adopted by Bureaus Pursuant to Rule Making Authority (ARB)

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### 6.08 FUNERAL AND BEREAVEMENT LEAVE

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#### Eligibility for Leave

Employees may be granted up to three (3) days of leave with pay for the death of (1) a relative or (2) any individual related by close affinity (#1 and #2 are collectively referred to as a “qualifying decedent”); or (3) due to pregnancy loss including miscarriage, stillbirth, or other loss. With the approval of the Bureau Director or designee, an additional two (2) days leave with no deduction in pay may be allowed for necessary funeral travel time.

Contract consultants, temporary employees employed through outside agencies, and seasonal employees are not eligible for bereavement leave.

Under exceptional circumstances, funeral leave may be granted by the bureau director, or designee, upon the death of a person other than those identified above.

#### Relative Bereavement Leave

A “relative” includes a spouse, domestic partner, parent, grandparent, grandparent-in-law, child, stepchild, child-in-law, grandchild, sibling, stepsibling, stepparent, stepgrandparent, sibling-in-law, parent-in-law, and equivalent relative of an employee with a domestic partner.

#### Close Affinity Bereavement Leave

“An individual related by close affinity” includes relationships such as unmarried partners, household members, “chosen family,” and any person with whom the employee has a significant personal bond that is like a familial relationship, regardless of biological or legal relationship.

#### Pregnancy Loss Bereavement Leave

A qualifying pregnancy is defined as the pregnancy of the employee or employee's spouse or partner; or any pregnancy, including through surrogacy or adoption, where the employee or employee's spouse or partner would have been parent or primary caregiver.

"Miscarriage" is defined by the American Academy of Pediatrics as loss of pregnancy prior to 20 weeks gestation.

"Stillbirth" is defined by the American Academy of Pediatrics as loss of pregnancy from 20 weeks gestation or more.

"Other loss" is defined as any other loss of pregnancy including termination, irrespective of whether deemed medically necessary, and loss incurred during fertility treatment

If an employee and their spouse or domestic partner work for the same bureau, both employees may take bereavement leave for the death of the same qualifying decedent or pregnancy loss at the same time.

### **Oregon Family Leave Act Bereavement Leave**

In addition to funeral and bereavement leave granted by this rule or by an employee's collective bargaining agreement, an eligible employee is entitled to take up to two workweeks of bereavement leave per death of a family member under the Oregon Family Leave Act (OFLA) if the circumstances of the leave are qualifying. See Administrative Rule 6.05 Family Medical Leave. Close Affinity Bereavement Leave and Pregnancy Loss Bereavement Leave are not OFLA qualifying leave events; likewise, not all relatives listed under Relative Bereavement Leave are OFLA covered "family members" for the purposes of OFLA Bereavement Leave. An employee will be required to follow all stated rules for family medical leave designation.

### **Certification of Pregnancy Loss**

Employees seeking leave for Pregnancy Loss must obtain a statement from an eligible health care provider, as defined in HRAR 6.05 Family Medical Leave, stating that the healthcare provider has reviewed this policy and the employee qualifies for leave under HRAR 6.08. Employees seeking leave for Pregnancy Loss do not need to disclose the specific form of pregnancy loss they encountered in the certification or in any conversation seeking leave unless the employee desires to disclose.

### **Confidentiality**

Information provided under this rule for certification of pregnancy loss must be maintained in a confidential file and is not generally subject to release without the employee's authorization. Approval of the leave must not contain any information concerning the purpose of the leave but shall state that leave was approved.

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## HISTORY


[Ordinance No. 176302, passed by City Council March 6, 2002 and effective April 5, 2002.](#)


Revised July 9, 2007

Revised April 25, 2016

Revised September 29, 2021

## Related documents

 [HRAR-6.08 - Funeral and Bereavement Leave](#) (108.3 Kb)

 [Funeral, Bereavement and Pregnancy Loss Leave Request Form](#) (64.5 Kb)