

Meeting:	Advisory Committee						
Date/time:	08/05/2020 1:30 – 3:30 pm (Virtual)						
Location:	https://employment.adobeconnect.com/kofoni/						
	Phone#: 1 (866) 377-3315; Participant Code: 7411471						
	Advisory Committee meetings are open to the public with the ability to listen by phone. If you have questions about the PFML program, please Email us						
Attendees:	P (Present)		A (Absent)		C (Conference Caller)	F (Facilitator)	
P	Gerhard Taeubel (Chair)	P	Linda Herrera (Member)	P	Eva Rippeteau (Member)	A	David Gerstenfeld (Executive Sponsor)
P	Amanda Dalton (Member)	P	Eric Hunter (Member)	P	Paloma Sparks (Member)	A	Jeannine Beatrice (Executive Sponsor)
P	Jenny Dresler (Member)	P	Andrea Paluso (Member)	P	Jessica Giannettino Villatoro (Member)	P	Phoebe Colman (Staff)
P	Jason Bouley (Staff)	P	Lois Williams (Staff)	P	Kelley Ofoni (Staff)	P	Bre McGehee (Staff)
P	Dean Johnson (Staff)						

Supporting Materials

- 6-10-2020 PFML Advisory Committee Agenda.Meeting Notes – Final
- Workgroup Committee Members and Contacts 20200729 (Roster – sent separately)

Agenda

	Topic	Purpose	Time		Presenter
1.	<p>Welcome, agenda review, outcomes</p> <p>Outcomes for today’s meeting:</p> <ol style="list-style-type: none"> Update on current Employment Department pandemic response efforts Provide program updates Provide workgroup activity updates Discuss workgroup agenda distribution/planned workflow 	Discuss	1:30	1:40	Lois Williams
2.	<p>Employment Department’s COVID-19 response</p> <p>While there is still a great deal of work to be done, the agency has made significant progress in recent weeks. Some steps the agency has taken to address the pandemic response includes:</p> <ul style="list-style-type: none"> Rapidly hiring and training hundreds of new employees Improving capacity and reliability of the phone system resulting in improved wait times Launched new language assistance to aid claimants whose first language is not English 	Inform	1:40	1:50	Gerhard Taeubel

<ul style="list-style-type: none"> Launched a new website making information about the pandemic easier to navigate Launched a new Google App for Pandemic Unemployment Assistance (PUA) making applications accessible online <p>Toward the end of July about 70% of the PUA claims had been processed which amounts to about 50,000 claims. The agency has paid out around \$65 million in PUA benefits to date. The agency has also taken steps to improve the adjudication process.</p> <p>The PFMLI Division is continuing to build capacity through various recruitments. Lois Willimas has accepted the role of Policy Manager to lead our policy team and oversee the work that they do. The division, as well as the agency, have hired various new positions including a public affairs specialist, two business analysts, project management team members, and a communications manager. In the near future, the division plans to recruit for various policy analyst positions to assist with all of the policy and rules work the division is doing.</p>				
<p>3. PFMLI Program updates:</p> <ol style="list-style-type: none"> June 10, 2020 meeting notes approved Third-Party Benefits Administration RFI <p>We received three responses to the RFI. Following the responses, an analysis was conducted, and a summary of the analysis was drafted and sent to the Director’s office for review. The summary is currently with the Director’s Office. No decision has been made at this time.</p> <ol style="list-style-type: none"> EIS <p>Enterprise Information Services (EIS) is the oversight body for state government technology investments. EIS requires certain documentation as part of the 2021-23 budget development process. PFMLI has submitted a high-level business case, summary-level budget request information, and supporting documentation to EIS as part of this process.</p> <ol style="list-style-type: none"> Modernization Update <p>In order to move forward with the potential PFMLI/Modernization partnership, the Modernization Executive Steering Committee (ESC) needs to approve a formal change request to add PFMLI Contributions technology components to the scope of the existing UI Modernization project. A workgroup has conducted an analysis to provide the information the ESC needs to make an informed decision on this change request. A</p>	<p>Inform/ Discuss/ Approve</p>	<p>1:50</p>	<p>2:05</p>	<p>Lois Williams, Gerhard Taeubel Phoebe Colman</p>

	<p>summary is currently being prepared for presentation to agency leadership and the Modernization ESC by mid-August.</p> <p>5) Budget reductions</p> <p>The Ways and Means Subcommittee on Transportation and Economic Development proposed reductions to the PFML 2019-21 budget, including cutting an additional \$4M from the vendor solution line item. We are awaiting the second special session on August 10th to see how this turns out. Outcomes of these things will shape how we move forward with the Contributions technology solution.</p>				
4.	<p>Communications Update:</p> <p>1) Introduce new staff</p> <p>Communications and Outreach have been a major priority of the PFML program from the very beginning. Efforts to date have focused on hiring communications staff for the program, developing strategic communications and outreach plans, and procuring a vendor to assist with planning and delivery of PFML communications and outreach.</p> <p>The program hired its first communications specialist (Jason Bouley) in March, with a second (Dean Johnson) joining the team just last week. Filling these positions took significantly longer than anticipated.</p> <p>In the future, Jason and/or Dean will give Communications updates at each Advisory Committee meeting.</p> <p>2) Status of Communications RFP</p> <p>The PFML program is in the process of acquiring the services of a communications firm to develop strategic communications, marketing, and outreach plans and to provide communications support and assistance to the PFML program through collaboration with OED and various stakeholders.</p> <p>In alignment with state procurement requirements, this process is being managed by DAS Procurement Services in collaboration with DOJ. DAS's original proposed timeline for this procurement would have a vendor onboard by May of next year. We are advocating for a shorter timeline, due to the urgent need for vendor support as soon as possible.</p> <p>In the meantime, we are moving forward with developing a strategic communications plan and stakeholder engagement plan for the program. These will be reviewed and refreshed when a vendor is onboard, but are urgently needed now.</p>	Inform/ Discuss	2:05	2:15	Phoebe Colman
5.	<p>Workgroup Activity:</p> <p>1) Equivalent Plans workgroup</p> <ul style="list-style-type: none"> • 14 members 	Discuss	2:15	2:45	Lois Williams

- Launched June 2, 2020
- Meeting 2nd and 4th Thursday from 10:00am to 12:00pm

Priorities: initial application flowchart (employer view); Application format/questionnaire (to attest to equivalency); and Application fees. We're looking at what other states have done with their application processes, and we're looking at how many applications for Equivalent plans Washington State has received.

2) Contributions workgroup

- 14 members
- Launched June 12, 2020
- Meeting 1st and 3rd Thursdays from 10:00am – 12:00pm

Priorities: Contribution Rate (timeline for establishing, annual rate, publicizing, etc.); Defining PFMLI Wages (and timeline for adjusting maximum); Defining PFMLI Employers/Employees. The workgroup has been talking about how to annually communicate information about the rate to the public, and whether the rate should be set in administrative rule. The workgroup is also looking at whether the division should align wage definitions with the Unemployment Insurance Tax Program, or adopting separate PFMLI rules on various types of remuneration.

3) Benefits workgroup

- 15 members
- Launched July 28, 2020
- Next meeting is Tuesday, August 11, 2020
- Meeting every 2nd and 4th Tuesday from 10:00am – 12:00pm

Priorities: Application and processing workflows; Eligibility: Employment duration and covered wages; Qualifying leave events and defining family. The workgroup is starting with the application process and what that will look like.

4) Self-Employed / Independent Contractors workgroup

- 11 members
- Launched August 3, 2020
- Ongoing schedule under development with a plan to meet twice a month

Priorities: Election: Process and Fee; Contribution: Amount and Method; Definitions. The group is planning to come forward with what the election process will look like and how contribution amounts will be calculated. The workgroup will also be looking at the definition of taxable income for PFMLI.

	<p>One member has declined to be on the workgroup and two members have suggested another representative for their associations (one short-term, one long-term).</p> <p>5) Small Employers workgroup</p> <ul style="list-style-type: none"> • 12 members • Launching August 11, 2020 • Ongoing meeting schedule under development <p>Priorities: Counting number of employees (to determine if fewer than 25); Job Protections (restoration, health benefits continuation, etc.); Design of Assistance Grant process. The workgroup wants to make sure there are rules in place for the various aspects of job protections.</p>				
6.	<p>Workgroup agendas and materials distribution/ review workflow plans</p> <p>We have established the five workgroups and those workgroups have begun discussing prioritized topics. A lot of the policies and rules are going to be developed in these workgroups. We've put together a structure and we're beginning to get a lot of engagement.</p> <p>A request was made to add AC members to the distribution of all workgroup agendas and materials. Lois will provide all workgroup materials distributed to date to AC members and will ask teams to add AC members to their email distribution procedures.</p> <p>Feedback from AC Members:</p> <p>The general consensus from AC members was that the structure and processes that the PFML program have put in place are working well. There were members that suggested opening the workgroup meetings up to the public, various members voiced concerns with that idea. Certain members were concerned with how preliminary the nature of the work was and others were concerned with not being comfortable voicing their opinions while the public listens in. Another concern was that the workgroup topics can be very technical, and it's taking members a bit of time to adjust to the individual focuses of the workgroups; it may be difficult to have individuals dropping in and out of these conversations. Lastly, concerns were raised with public attendees respecting the "listening only" protocol, as various public attendees were commenting or asking questions during the AC meeting.</p>	Discuss	2:45	3:00	Lois Williams
7.	Review action items and decisions	Discuss	3:00	3:10	Lois Williams

Action Items

Action	Assigned	Date Due	Completed
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<i>Draft proposed template workgroup charters</i>	<i>Lois Williams</i>	<i>April 1, 2020</i>	<i>In progress</i>
<i>Explore virtual meeting tools that include video options</i>	<i>Lois Williams</i>	<i>May 6, 2020</i>	<i>In progress</i>
<i>Explore meeting tools that will allow public to listen to AC meetings</i>	<i>Lois Williams</i>	<i>July 1, 2020</i>	<i>In progress</i>
<i>Schedule a follow-up meeting or provide additional information about workgroup applicants via email.</i>	<i>Lois Williams</i>	<i>June 12, 2020</i>	<i>Complete</i>
<i>Forward additional workgroup referrals</i>	<i>Committee Members</i>	<i>June 17, 2020</i>	<i>Complete</i>
<i>Send compiled workgroup agendas and materials to date to AC members</i>	<i>Lois Williams</i>	<i>August 12, 2020</i>	
<i>Add AC members to workgroup agenda and material distribution via email</i>	<i>Lois Williams</i>	<i>August 10, 2020</i>	

Recommendations



PFMLI Advisory Committee

Workgroup Updates – August 5, 2020

Lois Williams



Equivalent Plans Workgroup

- 14 members – see roster
- Launched June 2, 2002; meeting 2nd and 4th Thursday, 10:00 am – 12:00 pm
- Prioritized Topics:
 - Initial application flowchart (employer view)
 - Application format/questionnaire (to attest to equivalency)
 - Application fees



Contributions Workgroup

- 14 members – see roster
- Launched June 12, 2020; meeting 1st and 3rd Thursday, 10:00 am – 12:00 pm
- Priorities:
 - Contribution Rate (timeline for establishing annual rate, publicizing, etc.)
 - Defining PFMLI Wages (and timeline for adjusting maximum)
 - Defining PFMLI Employers/Employees

Benefits Workgroup

- 15 members – see roster
- Launched July 28, 2020; meeting 2nd and 4th Tuesday, 10:00 am – 12:00 pm
- Priorities:
 - Application and processing workflows
 - Eligibility: Employment duration and covered wages
 - Qualifying leave events, definition of family



Self-Employed / Independent Contractors

- 11 members – see roster (one member declined, one substitution, tax/finance vacant)
- Launched August 3, 2020; Ongoing schedule under development
- Prioritized topics include:
 - Election: process and fee
 - Contribution: amount and method
 - Definitions

Self-Employed / Independent Contractors

Self-Employed/Independent Contractors Workgroup Members:

Andrew Boeger	Contact details removed for confidentiality
Waylon Buchan	
Jenny Dresler	
Kiri Haight	
Linda Herrera	
Andrea Paluso	
Alma Raya	
Jeremy Rogers	
Paloma Sparks	
Corinna Spencer-Scheurich	
Asa Yraguen for Rex Storm	
Kaitlynn Chritton	
Jen Haynes	
Christie Heinonen	



Small Employers Workgroup

- 12 members – see roster
- Launching August 11, 2020; Ongoing meeting schedule TBD
- Priorities:
 - Counting number of employees (to determine fewer than 25)
 - Job Protections (restoration, health benefits continuation, etc.)
 - Design of Assistance Grant process

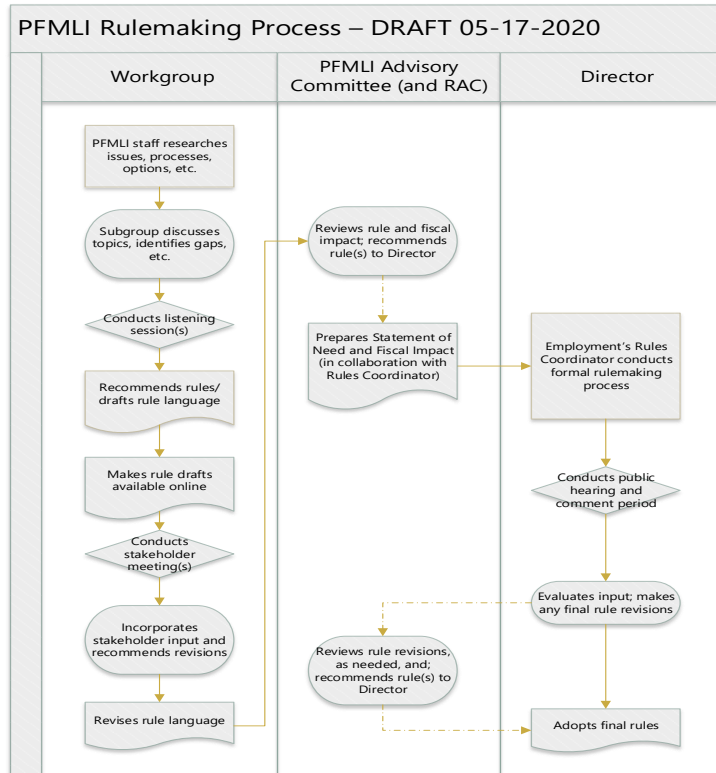


Workgroup Calendar - September

Monday	Tuesday	Wednesday	Thursday	Friday
		Advisory Committee	Contributions 10-12	
Holiday	Benefits 10-12		Equivalent Plans 10-12	
	Small Employers TBD	Self-Employed TBD	Contributions 10-12	
	Benefits 10-12		Equivalent Plans 10-12	
	Small Employers TBD	Self-Employed TBD		



PFMLI Rulemaking Process



State Comparison of Contribution Rates and Benefit Amounts *(As of 7/31/2020)*

State	Start Date	Contribution Rate	Maximum Wages	Rate Changes/Contingencies	Benefit Eligibility	Benefit Amount	Leave Duration	Leave Types
Oregon	C: 1/1/2022 B: 1/1/2023	Up to 1% of wages; adjusted annually Employees: 60% Employers (≥25): 40% Employers (<25): 0%	\$132,900; adjusted annually based on CPI-U West Region	Benefits are only payable to the extent program funds are available	Employee must have earned \$1,000	100% of AWW less than or equal to 65% of SAWW and 50% of AWW more than 65% of state SAWW Max: 120% of SAWW; Min: 5% of SAWW	12 weeks (+2 weeks)	Family Medical Safe
California	Paid Family Leave added to State Disability Insurance C: 2004 B: 2006	1% of wages; adjusted annually Employees: 100% Employers: 0%	\$122,909; adjusted annually	In 2004, the initial total rate was 1.18% and has fluctuated between 0.6% (2007) and 1.2% (2011). The rate has been 1% since 2018. Rate is set based on adequacy rate; maximum is 1.5%	Employee must be attached to the labor market and have earned \$300 in wages with contributions paid	70% of AWW for employees earning less than 1/3 of the state quarterly wage and 60% of AWW for employees earning more than 1/3 of the state quarterly wage Max: \$1,300 per week; Min: \$50 per week; adjusted annually based on SAWW (DI: total max. equal to annual wages)	FL: 8 weeks (increased on 7/1/2020 from 6 weeks) DI: 52 weeks	Family Medical (DI) Military (starting 1/1/2021)
Connecticut	C: 1/1/2021 (no later than 2/1/2021) B: 1/1/2022	Up to 0.5% of wages; adjusted annually Employees: 100% Employers: 0%	\$137,700; adjusted annually based on social security limit	If contribution rate is at maximum and funds are insufficient, benefit amounts shall be reduced	Employee must have worked with employer for 3 months before requesting leave	95% of AWW less than or equal to 40x min. wage and 60% of AWW more than 40x min. wage Max: 60x min. wage	12 weeks (+2 weeks)	Family Medical Military
Massachusetts	C: 10/1/2019 B: 1/1/2021 (Family - Care starts 7/1/2021)	0.75% of wages (0.13% FL, 0.62% ML); adjusted annually Employees: FL-100%, ML-40% Employers: FL-0%, ML-60%	\$137,700; adjusted annually based on social security limit	Contributions were expected to start July 1, 2019 at a total rate of 0.63%; start was delayed to October 1, 2019 and rate increased to 0.75%	Employee must have earned \$5,100 in the last 12 months and amount earned must be at least 30x more than weekly benefit	80% of AWW less than or equal to 50% of SAWW and 50% of AWW above 50% of SAWW Max: \$850 per week; adjusted annually to 64% of SAWW	26 weeks combined (+2 weeks)	Family Medical Military

AWW: Average Weekly Wage
B: Benefits
C: Contributions

Combined: more than one qualifying event of leave type
CPI-U: Consumer Price Index for All Urban Consumers
DI: Disability Insurance

FL: Family Leave
ML: Medical Leave
SAWW: State Average Weekly Wage

State Comparison of Contribution Rates and Benefit Amounts *(As of 7/31/2020)*

State	Start Date	Contribution Rate	Maximum Wages	Rate Changes/Contingencies	Benefit Eligibility	Benefit Amount	Leave Duration	Leave Types
New Jersey	Paid Family Leave added in addition to Temporary Disability Insurance C: 2018 B: 2019	DI: 0.36%-1.01% of wages Employees: 0.26% of wages Employers: 0.1%-0.75% of wages FL: 0.16% of wages Employees: 100% Employers: 0%	Employees: \$134,900; adjusted annually Employers: \$35,300; adjusted annually	DI: rates vary by employer. Max. wages for employees increased from \$34,400 in 2019 FL: increased from 0.08%, \$34,400 max. wages, and 6 weeks in 2019	Employee must have worked 20 weeks earning at least \$200 weekly, or have earned \$10,000 in year	85% of AWW Max: \$881 per week; adjusted annually based on SAWW (DI: total max. of 1/3 of annual wage or 26x weekly benefit amount)	DI: 26 weeks FL: 12 weeks continuous or 8 weeks non-continuous	Family Medical (DI) Safe (added 2020)
New York	Paid Family Leave added in addition to Short-term Disability Benefits C: 2017 B: 2018	DI: 0.5% of wages FL: 0.27% of wages Employees: 100% Employers: 0%	DI: \$0.60 (weekly max.) FL: \$196.72 (annual max.); adjusted annually based on SAWW	FL: benefits phased in over 4 years from 8 weeks with 50% of SAWW in 2018 to 12 weeks with 67% of AWW, up to 67% of SAWW in 2021	DI: employee must have worked 4 consecutive weeks FL: full-time employees must work for 26 weeks; part-time employees must work for 175 days; work must be at current employer	DI: 50% of AWW Max: \$170 per week FL: 60% of AWW (increases to 67% in 2021) Max: \$840.70 per week; adjusted annually based on SAWW (60% of SAWW for 2020, increases to 67% for 2021)	DI: 26 weeks FL: 10 weeks (increases to 12 weeks in 2021) 26 weeks combined	Family Medical (DI) Military
Rhode Island	Temporary Caregiver Insurance added to Temporary Disability Insurance C: 2014 B: 2014	1.3% of wages Employees: 100% (employees 14-15 years old exempt) Employers: 0%	\$72,300; adjusted annually	Rate increased from 1.1% in 2019. Prior to that the rate had not increased for 5 years (but decreased from 1.2% to 1.1% in 2018)	Employee must have 1) earned \$12,600 in wages, or 2) earned \$2,100 in a quarter and have total wages that are at least 1.5x highest quarter earnings and total earnings of \$4,200	4.62% of wages in highest quarter (60% AWW) Max: \$887; Min: \$98 (plus dependency allowance of \$10 or 7% of weekly benefit amount, up to 5 dependents - total max. with 5 dependents is \$1,197 per week)	DI: 30 weeks FL: 4 weeks 30 weeks combined	Family Medical (DI)

AWW: Average Weekly Wage
B: Benefits
C: Contributions

Combined: more than one qualifying event of leave type
CPI-U: Consumer Price Index for All Urban Consumers
DI: Disability Insurance

FL: Family Leave
ML: Medical Leave
SAWW: State Average Weekly Wage

State Comparison of Contribution Rates and Benefit Amounts (As of 7/31/2020)

State	Start Date	Contribution Rate	Maximum Wages	Rate Changes/Contingencies	Benefit Eligibility	Benefit Amount	Leave Duration	Leave Types
Washington state	C: 1/1/2019 B: 1/1/2020	0.4% of wages (1/3 FL, 2/3 ML); adjusted annually Employees: FL-100%, ML-45% Employers (≥50): FL-0%, ML-55% Employers (<50): FL-0%, ML-0%	\$137,700; adjusted annually based on social security limit	Rate is adjusted annually based on account balance ratio and solvency surcharge added if ratio is below 5 hundredths of 1%	Employee must work a minimum of 820 hours in WA	90% of AWW less than or equal to 50% of SAWW and 50% of AWW above 50% of SAWW Max: \$1,000 per week; adjusted annually to 90% of SAWW	16 weeks combined (+2 weeks)	Family Medical Military
Washington D.C.	C: 7/1/2019 B: 7/1/2020	Total: 0.62% of wages Employees: 0% Employers: 100%	None	If funds below 9 months of benefits, CFO makes plan including legislative changes. If funds below 6 months of benefits, payments cease until funding for 12 months benefits is accumulated	Employees must have worked 50% of their time in DC in some or all of the 52 weeks before the qualifying event and work for a covered employer at time of application	90% of AWW less than or equal to 150% of 40x the District's min. wage and 50% of AWW more than 150% of 40x the District's min. wage Max: \$1,000 per week; adjusted annually based on increases in the CPI-U Washington-Baltimore Metro Area	8 weeks combined	Family Medical

AWW: Average Weekly Wage	Combined: more than one qualifying event of leave type	FL: Family Leave
B: Benefits	CPI-U: Consumer Price Index for All Urban Consumers	ML: Medical Leave
C: Contributions	DI: Disability Insurance	SAWW: State Average Weekly Wage