

# Paid Leave Oregon Advisory Committee

February 1, 2023

1:00pm – 3:00pm

ZoomGov - <https://www.zoomgov.com/j/1603758108>

## Agenda

### *Members*

Karen Humelbaugh  
David Gerstenfeld  
Jeannine Beatrice  
Amanda Dalton  
Jenny Dresler  
Linda Herrera  
Eric Hunter  
Andrea Paluso  
Eva Rippeteau  
Catie Theisen  
JaJetta Dumdi

Docket #	Topic	Purpose	Presenter
1.0	<b>Welcome</b>	Inform	Karen Madden Humelbaugh &
1.1	Member Roundtable		David Gerstenfeld
1.2	Agency Updates		
1.3	Approval of January Meeting Notes		
2.0	<b>Operations, Benefits &amp; Policy Updates</b>	Inform	Danielle Willey & Shannon Ball
2.1	Legislative Concepts		
3.0	<b>Customer Care, Outreach &amp; Communication Updates</b>	Inform	Michele Schwartz & Angela Yeager
4.0	<b>Actuary Updates</b>	Inform	Ayesha Khalid
4.0	<b>Additional Program Updates</b>	Inform	Karen Madden Humelbaugh

## Paid Leave Oregon Advisory Committee Docket

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**Docket Item:**

1.3 – Approval of January Meeting Notes

**Docket Summary:**

Karen Madden Humelbaugh asks committee members if they have any edits to the notes from the previous meeting. After feedback is addressed, the committee will vote on whether to approve the notes.

**Docket Materials:**

PDF – Paid Leave Oregon Advisory Committee Notes 01-2023

**Staff Recommendation:**

Approve notes.

Meeting:	<b>Paid Leave Oregon Advisory Committee</b>				
Date/time:	<b>January 4, 2023</b>				
Location:	Microsoft Teams				
Attendees:	P (Present) A (Absent) S (sent sub)				
	Facilitator: Karen Madden Humelbaugh Scribe: Mackenzie Jones				
<b>Members</b>		<b>Staff</b>		<b>Guest</b>	
P	Karen Madden Humelbaugh	P	Mackenzie Jones	P	Catie Theisen (delegate)
P	David Gerstenfeld	P	Shannon Ball		
P	Jeannine Beatrice	A	Juan Serratos		
P	Amanda Dalton (employers)	P	Danielle Willey		
P	Jenny Dresler (employers)	P	Michele Roland-Schwartz		
A	Linda Herrera (employees)	P	Angela Yeager		
P	Eric Hunter (employers)	A	Kelley Ofoni		
P	Andrea Paluso (employees)				
P	Eva Rippeteau (employees)				

## Agenda

Docket #	Topic	Purpose	Presenter
1.0	<b>Welcome</b>	Inform	Karen Madden Humelbaugh &
1.1	Member Roundtable		David Gerstenfeld
1.2	Agency Updates		
1.3	Approval of Nov. & Dec. Meeting Notes		

David Gerstenfeld shared agency updates. The Oregon Employment Department (OED) is continuing to manage despite the decrease in federal funding. The agency is also preparing for the upcoming legislative session which will include moving forward the next biennial budget. The Federal Department of Commerce recognized the work that the OED Research Division had done using various data sources to help identify equity-related issues. The Federal Department of Commerce invited the Oregon State Employment Economist to participate in a national initiative focused on advancing equity and wellbeing through data.

No comments or concerns from the committee members, both November and December notes are approved.

2.0	<b>Policy &amp; Operations Updates</b>	Inform	Shannon Ball &
2.1	Legislative Concepts		Karen Madden Humelbaugh

Shannon Ball provided policy and legislative updates. In April 2022, the Paid Leave team brought three legislative concepts to the committee which have now been drafted into LC 507 which is set to move forward in the 2023 legislative session. The team would like to amend LC 507 to include four additional concepts. Shannon Ball reviewed the four new concepts with the committee that were provided in the agenda docket:

- Authorized Representative
  - Amanda Dalton asked if the intention of this concept is to allow a family member to confirm and receive information? Yes, claimants would provide the program with a signed form to permit others to receive information about the claimant's contributions and benefits.
  - Amanda Dalton also asked if the employer would also receive the completed form? No, the form would just be for the program's use.
  - David Gerstenfeld acknowledged that claimants will sometimes have to share very private information when applying for benefits. It was decided early on that the program wants to ensure confidentiality and protect that private information from public record disclosures. The intention of this amendment is not to change that confidentiality practice but just to provide an exception if a claimant would like a family member or friend to help manage the claim on their behalf.
- Appeal Language Clean-Up – *no feedback provided at this time.*
- Assistance Grant Recovery – *no feedback provided at this time.*
- Appeal Dismissal – *no feedback provided at this time.*

The Paid Leave team requests that committee members review the concepts and provide feedback by Monday, January 9. Amanda Dalton requested a copy of the one-pager legislative concepts discussed last April. Shannon Ball will send the committee the previous and new one-pagers in an email.

Batch 6 of administrative rules hearings are scheduled for January 17<sup>th</sup> and 23<sup>rd</sup>.

Jenny Dresler shared a concern with the group. Jenny is working with the National Association of Professional Employer Organizations, who are struggling with how to maintain their business model within the Frances system. For Professional Employer Organizations (PEOs), they are finding that their small business clients aren't being counted as small businesses and therefore are not receiving small employer tax benefits because they're filing with a with the PEO BIN#. They are also finding that because they are filing with the PEO BIN#, the large business clients aren't eligible for equivalent plans. Jenny will be pursuing a solution next Spring.

Eva Rippeteau asked if PEOs are multiple businesses that form a coalition to apply for group benefit across several employers under one employer ID? Jenny responded that PEOs are co-employers. For other programs such as Oregon Saves, they have been able to differentiate who the small and large employers are but the Frances system is not currently set up in a way that allows that option.

Karen Madden Humelbaugh mentioned that the statute for Paid Leave ties contributions to the other payroll quarterly reports so that is how the program set up Frances. She also said that the team is planning to bring together a group for dialog about what shifts could or couldn't happen for the variety of business models whose organization structures fall outside of the traditional.

Karen Madden Humelbaugh shared operational updates. The program began collecting contributions on January 1. The team has seen an increase in volume of emails, calls and general communication. Staff are continuing work with the Modernization team and attending definition sessions to determine how the technology will be set up for benefits. Declarations of Intent for equivalent plans were due on November 30<sup>th</sup> and the team received over 2,900. They have also received over 300 full equivalent plan applications. The program is waiting for the Department of Consumer and Business Services (DCBS) to approve the third party insurers. Staff have been calling employers who have submitted applications to inform them about where they are in the process, as well as calling employers who have submitted only the declaration of intent to make sure they understand their obligations and next steps.

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3.0	<b>Customer Care, Outreach &amp; Communication Updates</b>	Inform	Michele Schwartz & Angela Yeager
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Michele Schwartz shared Customer Care and Outreach updates. The team has been focused on developing their customer care approach and preparing staff to provide trauma-informed service and manage confidential and sensitive information.

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The Outreach team reached approximately 16,000 employers and workers in 2022. They are prepping for a variety of virtual sessions including a “Paid Leave Oregon Contributions Explained” series, as well as “Paid Leave Oregon Benefits Explained” series. Staff have also been providing a variety of presentations with various partners. The team is working on contracts with culturally specific service providers and nonprofit organizations. They have received a few scopes of work from those organizations and are excited to launch a series of in-person and virtual sessions throughout the year.

Angela Yeager provided updates from the Communications team. The team continues to have impressive analytics on the advertising campaign. Since the launch of the campaign in November, there have been approximately 160,000 new users to the Paid Leave website, 8.6M impressions, 82,000 clicks from advertisements to the website, and 963,000 videos played start to finish. The Communications team has also been working diligently on media outreach about contributions, including more than 35 news articles in December. The new Paid Leave website is expected to launch later this month. As the team works to finish the new website, there is a “freeze” on adding new content to the current website.

Andrea Paluso requested additional information regarding the Paid Leave team’s outreach plans for healthcare providers. Michele Schwartz shared that the Outreach team has hosted a couple sessions with a variety of different healthcare associations and organizations. They are focused now on outreach to healthcare providers. The team recorded a video presentation and shared with reproductive healthcare providers. Paid Leave is hoping to connect with Oregon Health Forum. In the Spring, they will also be working to provide training to sexual assault nurse examiners to ensure examiners are able to share information about the program when they are providing medical forensic care.

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4.0	<b>Additional Program Updates</b>	Inform	Karen Madden Humelbaugh
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Karen Madden Humelbaugh shared additional program updates. The Paid Leave team has continued to hire many new employees. Many of the recruitments either give preference to or require multilingual abilities. Having a diverse team has enabled the team to translate in-house rather than using a third party vendor. This has allowed more accuracy in the content and the ability to do quality checks on translated documentation.

Committee members are encouraged to continue helping connect the people they represent to the Paid Leave team, encouraging people to sign up for the Paid Leave bulletin and guiding them to the new website once it has launched.

David Gerstenfeld and Karen Madden Humelbaugh will be meeting with potential Advisory Committee members to fill the two vacant seats from Jessica Giannetino and Paloma Sparks, who have both transitioned to the Bureau of Labor and Industry. They hope to be able to announce the new committee members at the February meeting.

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## Action Items

Action	Assigned	Due Date	Completed
Send one-pagers of 3 legislative concepts from April 2022 to the committee.	Shannon Ball		1/4/2023
Provide written feedback on four new legislative concepts	Committee Members	1/9/2023	

# Paid Leave Oregon Advisory Committee Docket

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**Docket Item:**

2.0 – Operations, Benefits & Policy Updates

**Docket Summary:***Equivalent Plans*

Equivalent Plans staff continue to review and approve applications. We have been working closely with the Department of Consumer and Business Services to approve fully insured plans employers may utilize through various insurance companies.

*Hiring Update*

Paid Leave Oregon's Benefits successfully completed two key recruitments in January and welcomed Jason Bouley as the Claims manager and Kandi Quezada as the Benefits Eligibility manager. Jason and Kandi will assist with the many upcoming recruitments to continue to build out our extended Benefits team.

*Benefit Definition Sessions*

Definition sessions to configure Frances for benefits roll out next September are ongoing. Subject matter experts participate in these sessions with the software vendor to configure the system to meet our identified business needs. While the majority of these sessions have already been completed, additional meetings to refine specifications will continue

*Self Employed Elections*

Individuals that are self-employed can now elect to participate in the Paid Leave program. This option became available at the beginning of January both in Frances Online and through a printable form available on Paid Leave's website.

**Docket Materials:**

N/A

**Staff Recommendation:**

None, this is an informational item only.

## Paid Leave Oregon Advisory Committee Docket

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**Docket Item:****2.1 – Legislative Updates****Docket Summary:**

The 2023 Legislative Session began January 17, 2023. As of January 25, 2023, there are 2,000 bills that have been introduced so far. Of the 2,000 bills, below is a high level summary of the six bills the Paid Leave Oregon program is watching as they relate directly to Paid Leave Oregon:

Bill Number	Brief Description	Status of Bill
HB 2138	Repeals Paid Leave Oregon program and creates an income tax credit for businesses that offer Paid Leave to employees. Beginning 1/1/24	Referred to Business & Labor
HB 2290	Paid Leave Oregon’s legislative concept to allow the Oregon Department of Revenue to share information with Oregon Employment Department.	1/18/23 – Public Hearing held in House Business & Labor
SB 31	Requires Oregon Employment Department to study issues related to Paid Leave Oregon and submit a report by 12/1/23.	Referred to Labor & Business
SB 205	Department of Revenue’s legislative concept allows Paid Leave Oregon and Department of Revenue to share information for detecting potential identity theft or fraudulent claims.	Referred to Finance & Revenue
SB 481	Makes changes to the OFLA and Paid Leave Oregon programs.	Referred to Labor & Business
SB 593	Requires Oregon Employment Department to study issues related to Paid Leave Oregon and submit a report by 9/15/24.	Referred to Labor & Business

**Docket Materials:**

N/A

**Staff Recommendation:**

None, this is an informational item only.

## Paid Leave Oregon Advisory Committee Docket

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**Docket Item:**

3.0 – Customer Care, Outreach, and Communications Updates

**Docket Summary:**Customer Care & Outreach

In addition to Community Conversations About Paid Leave Oregon (Thursdays from 3-4pm, January 19-February 9<sup>th</sup>) and Paid Leave Oregon: Benefits Explained (Tuesdays from 3-4pm, February 28-March 21<sup>st</sup>), the Outreach team scheduled another public series titled, Paid Leave Oregon: Benefits Explained beginning in July 2023. The dates are listed below and will be available on our website soon. The sessions are intended for workers in Oregon with a focus on and overview of family, medical, and safe leave benefits.

Paid Leave Oregon: Benefits Explained: Thursdays from 3-4, July 13, 2023-September 28<sup>th</sup>; Thursdays from 7am-8am August 3<sup>rd</sup> and September 14<sup>th</sup>; Saturday from 10am-11am on August 26<sup>th</sup>. All sessions will be provided in English with American Sign Language and Spanish-language interpreters.

Since mid-December, we've had conversations with the Oregon AFL-CIO, American Federation of State, County, and Municipal Employees, Communications Workers of America Local 7901, Oregon Nurses Association, Oregon Education Association, and Portland Jobs With Justice. These conversations focused on opportunities to work together to get information to union members. We've provided a few presentations with labor unions and have several more scheduled through the Spring. To round out this work, we're starting to drop off Paid Leave literature at local union halls.

Communications

We expect our new website in six languages to launch soon, if it hasn't already launched. We are doing a "soft launch" without publicity to make sure the website has few errors and issues before we publicize heavily. We are currently focused on legislative presentations. Paid Leave Oregon already had one presentation before a Senate committee and another with the Joint Ways and Means Subcommittee on January 24, then we are prepping for the agency Ways and Means presentation in February. In addition, we just launched the second flight of ads in our employer campaign, this time featuring video testimonials from employers. Those videos are online: <https://youtu.be/dLVL1sIBzEU> (English) and <https://youtu.be/umO0wymHPvE> (Spanish).

**Docket Materials:**

None

**Staff Recommendation:**

None, this is an informational item only.



## Paid Leave Oregon Advisory Committee Docket

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**Docket Item:**

4.0 – Actuarial Updates

**Docket Summary:**

The Paid Leave Oregon Trust Fund Forecast is updated quarterly based on Office of Economic Analysis (OEA) Economic and Revenue Forecast. The recent Economic and Revenue Forecast was released on November 16, which is being used to update the current Paid Leave Oregon Trust Fund forecast. This forecast also reflects changes due to updated projected General Fund loan usage for 2023-2025 biennium. The updated forecast will be discussed as well as how it compares to the previous forecast, especially in terms of the 6-month solvency requirement at the one percent contribution rate.

**Docket Materials:**

None

**Staff Recommendation:**

None, this is an informational item only