

Meeting:	Paid Leave Oregon Advisory Committee				
Date/time:	April 3, 2024				
Location:	Microsoft Teams				
Attendees:	P (Present) A (Absent) S (sent sub)				
	Facilitator: Karen Madden Humelbaugh Scribe: Mackenzie Jones				
Members		Staff		Guest	
P	Karen Madden Humelbaugh	P	Mackenzie Jones		
P	David Gerstenfeld	P	Shannon Ball		
P	Jeannine Beatrice	P	Juan Serratos		
A	Amanda Dalton (employers)	P	Danielle Willey		
P	Jenny Dresler (employers)	P	Michele Schwartz		
P	Rich Reynolds (employers)	P	Rebeka Gipson-King		
P	JaJetta Dumdi (employers)	A	Kelley Ofoni		
P	Catie Theisen (employees)	P	Ayesha Khalid		
P	Courtney Veronneau (employees)				
P	Anna Richards Roberts (employees)				
P	Odalís Aguilar-Aguilar (employees)				

Agenda

Docket #	Topic	Purpose	Presenter
1.0	Welcome	Inform	Karen Madden Humelbaugh &
1.1	Member Roundtable		David Gerstenfeld
1.2	Agency Updates		
1.3	Approval of January & February notes		
1.4	Meeting Cadence Adjustments		

The committee welcomes a new member, Rich Reynolds, the Executive Director of Providence Shared Services. Rich joins the committee as an employer representative.

David Gerstenfeld shared updates from the Oregon Employment Department. The Unemployment Insurance Benefits program has officially been moved to the new modernized technology system alongside Paid Leave Oregon. The rollout was successful and the agency will be looking for ways to continue to improve. During the rollout, the program experienced an anticipated increase in number of calls. During this last legislative session, a bill passed which will provide additional administrative funding to the Employment Department. The agency's focus remains on getting to a sustainable pace of ongoing improvement.

Anna Roberts asked if the additional administrative funds that passed during legislative session are available for the Paid Leave Oregon program. Paid Leave Oregon has its own funding stream through the Trust Fund. These additional funds can be used to fill in the gap for any other OED programs that receive federal funding, in which the funding is not enough.

Rebeka Gipson-King shared updates from the Communications team. Angela Yeager has accepted an opportunity at OHSU. Rebeka and team are in the process of interviewing to fill the role. There are two new data sets available

for the public. One data dashboard, available on the Paid Leave website, shows the current average application timeline. The other, on the OED website, provides an overview of claims processed and paid, as well as call volume and wait times (updated every Wednesday).

Karen Humelbaugh proposed switching to a quarterly meeting schedule, which would make the next meetings in July, October, January and April. No objections from the committee, and ad hoc meetings will be scheduled on an as-needed basis. The group also discussed meeting July 10 instead of July 3 due to the holiday week. Updated calendar invites to come.

No comments or concerns from committee members for the January and February meeting notes, notes were approved.

2.0	Legislative & Rule Updates	Inform	Shannon Ball
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Shannon Ball provided an update on 2024 legislation including SB 1514, SB 1515 and SB 1595. Changes to instructions and other written material will be updated in the coming months. She also discussed the 2025 legislative concepts, which are due to the Governor's Office the end of this month.

Anna Roberts asked for additional clarification on the expected programmatic changes. The changes will likely be related to the use of FMLA and Paid Leave Oregon, as well as home care workers, as these topics are what were discussed during testimony.

Batch 10 administrative rules went into effect on March 13, 2024. Batch 11 is scheduled to go into effect on August 1, 2024. A Rulemaking Advisory Committee meeting for Batch 11 is scheduled for May 8.

3.0	Quarterly Data Update	Inform	Karen Madden Humelbaugh
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Karen Humelbaugh reviewed the program's quarterly data update, provided with these notes.

Anna Roberts asked questions related to call times and processes.

The committee discussed phone call center hours and staffing. Because Paid Leave Oregon and Unemployment Insurance are now on the same technology system, the two divisions are working together to make these decisions jointly.

Catie Theisen suggested if there is data on language spoken that would be a helpful addition to future data updates.



A program that allows workers in Oregon to take paid time off for some of life's most important moments that impact our families, health and safety.

Agenda

- 2024 Legislation Overview
- 2025 Legislative Concepts
- Administrative Rule Update



2024 Legislation

- **SB 1514** – Paid Leave Trust Fund Sustainability
- **SB 1515** – OFLA/Paid Leave
 - Reports by 9/15/24
 - Technical fixes by 7/1/24
 - OFLA/Paid Leave Alignment by 7/1/24
- **SB 1595** – Debt Collection Exemptions



2025 Legislative Concepts

1. Other Agency Data Gathering and Information Sharing
2. Various Changes and Technical Corrections
 1. Federal Unemployment Insurance Benefits
 2. Paid Leave Benefits if Trust Fund is Insolvent
 3. Application for Benefits When Covered Individual is Incapacitated or Deceased
 4. Lay Representation
 5. Equivalent Plan Contributions
3. Waiver of Penalty and Interest for Contributions



Administrative Rules

- Batch 10 – Temporary Administrative Rules – Effective 3/13/24
 - 471-070-1110 – Benefits: Verification of Family Leave to Care for and Bond with a Child
 - 471-070-1120 – Benefits: Verification of a Serious Health Condition
 - 471-070-1130 – Benefits: Verification of Safe Leave
 - 471-070-1250 – Benefits: Claimant Designated Representative and Representation of Incapacitated Claimants
 - 471-070-3710 – Assistance Grants: Application Requirements
- Batch 11 – Effective 8/1/24





Questions?



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Agenda

- Current data
- Current revenue versus forecasted
- Additional information
- Programmatic adjustments



Call wait times

Recent phone data (3/10/24 – 3/16/24)

Total calls	5,915
Average wait time	71 mins, 10 sec.
Average talk time	10 mins, 37 sec.

Talk time

Calls between 0-5 mins.	1,963
Calls between 5-10 mins.	1,748
Calls between 10-15 mins.	901
Calls above 15 mins.	1,303

Web Notices

Received on average in a day	223
Answered on average in a day	118

Contact Paid Leave

Received on average in a day	992
Answered on average in a day	713



Leave types by the numbers

	Total Application Percentage	Total Applications
Bonding Leave	35.5%	27,485
Family Leave	15.1%	11,691
Medical Leave	48.2%	37,318
Safe Leave	1.2%	929
TOTAL		77,423

Percentage of Claimants Paid	Percentage of Claimants Not Paid
68.5%	31.5%
Anticipated Uptake Percentage	Actual Uptake Percentage as of 3/15/24
4.77%	4.23%



Application request breakdown

Leave Type	Forecasted	Actual Average Request
Bonding	9.5 weeks	10.5 weeks
Family	7 weeks	5.5 weeks
Medical	7 weeks	6.5 weeks
Safe	2 weeks	8 weeks

Only includes consecutive leave requests



Average weekly benefit amount

Leave Type	Average Amount Paid/Consecutive	Average Amount Paid/Intermittent	Forecasted
Additional Pregnancy	\$ 738	\$ 635	\$ 871
Bonding	\$ 885	\$ 1,016	\$ 871
Family	\$ 885	\$ 960	\$ 871
Medical	\$ 870	\$ 876	\$ 871
Safe	\$ 655	\$ 746	\$ 871

Includes consecutive & intermittent leave requests



Benefit payments to date

Leave type	Intermittent leave	Consecutive leave	Total
Bonding	\$ 28,078,000	\$ 122,387,000	\$ 150,465,000
Pregnancy	\$ 1,090,000	\$ 15,607,000	\$ 16,697,000
Family	\$ 7,901,000	\$ 20,202,000	\$ 28,103,000
Medical	\$ 11,972,000	\$ 116,231,000	\$ 128,203,000
Safe	\$ 615,000	\$ 1,789,000	\$ 2,404,000
TOTAL	\$ 49,656,000	\$ 276,216,000	\$ 325,872,000

Includes consecutive & intermittent leave requests



Original forecast vs. actual revenue

Quarter	May 2023 Forecasted Contributions Collected (\$)	Received Contributions as of 3/19/24
Q1 2023	\$ 217,000,000	\$ 227,129,000
Q2 2023	\$ 199,650,000	\$ 208,765,000
Q3 2023	\$ 198,000,000	\$ 198,351,000
Q4 2023	\$186,000,000	\$173,825,000
TOTAL	\$ 800,650,000	\$ 808,070,000



Trust fund forecast

Year	Contributions Collected (\$)	Benefit Payments (\$)	Program Expenses (\$)	Trust Fund Balance (\$)	Months Reserve (for projected expenditures)
2023	634,245,000	176,264,000	38,000,000	378,847,000	5.28
2024	871,954,000	776,268,000	70,020,000	415,000,000	5.66

Note: The table includes the main (not all) data points of the forecast. The table does not include revenue earned from equivalent plan application fees, interest and penalties, interest earned on the trust fund, and small employer assistance grants in expenditures.

(Data used to figure the forecast: 46,726 applications (2023), 131,000 applications (2024), bonding leave - 10.4 weeks, family leave - 5.5 weeks, medical leave - 6.4 weeks, and safe leave - 8.1 weeks, bonding leave average weekly benefit amount for consecutive leave - \$885, family leave - \$885, medical leave - \$870, and safe leave - \$655)



Top denial reasons

- Not completing identity verification
- Not responding to Paid Leave inquiries
- Not currently employed
- Not uploading correct information
- Wage-related
- Equivalent plan employees



Appeals

- Failure to provide information
- Monetary determinations
- Benefit change letters
- Wage investigations



Equivalent plan data

Top 5 Industry Types

1. Elementary & secondary schools
2. Offices of physicians
3. Software publishers
4. Offices of lawyers
5. New car dealers

Anticipated Lost Contributions

2023	2024
\$ 204,000,000	\$ 275,000,000

Anticipated Benefits Saved

2023	2024
\$ 69,165,000	\$ 187,381,000

Statistics

Fully insured	3,146
Employer administered	290
Employees covered	391,235 (15.9%)
Large employers	2,099 (19.1%)
Small employers	1,337 (1.1%)

Equivalent Plan Applications

Received	3,436
Approved	3,420



Assistance grants

Grant Applications	
Open	2
Approved	8
Denied	21

Grant Type	
Replacement worker	22
Wage-related costs	9
Adjustment grant	0

Approved Grant Amounts	
Replacement worker	\$ 27,000
Wage-related costs	\$ 1,000



Self-employed individuals

- 1,714 self-employed applications received
- 1,249 self-employed applications approved
- 354 self-employed applications denied
- 111 applications still being reviewed



Demographics

	Rural	Urban	Frontier	Out of State
Applications	28.78%	64.48%	1.49%	5.24%

Label	Paid Leave Oregon	Oregon Labor Force
White	64.42%	69.10%
Hispanic	11.73%	12.09%
Other	2.30%	11.85%
Asian	5.30%	4.32%
Black	3.29%	1.70%
American Indian	2.69%	0.94%
Prefer not to say	10.26%	

Source: Oregon Employment Department and U.S. Census Bureau American Community Survey 2022 5-Year Estimates, table S2301



Demographics

Label	Paid Leave Oregon	Oregon Labor Force
Male	36.36%	47.85%
Female	58.43%	42.17%
Prefer Not	5.21%	9.98%

Source: Oregon Employment Department and U.S. Census Bureau American Community Survey 2022 5-Year Estimates, table S2301



Income demographics

Earnings	Paid Leave Oregon	Oregon Labor Force
\$1 to \$9,999	2.13%	14.63%
\$10,000 to \$19,999	4.86%	10.85%
\$20,000 to \$29,999	8.48%	11.96%
\$30,000 to \$39,999	12.35%	10.90%
\$40,000 to \$49,999	14.24%	9.95%
\$50,000 to \$64,999	17.64%	11.28%
\$65,000 to \$74,999	8.98%	5.59%
\$75,000 to \$99,999	14.31%	9.89%
\$100,000 or more	17.01%	14.95%

Source: Oregon Employment Department and U.S. Census Bureau American Community Survey 2022 5-Year Estimates, tables B20005 A/B/C/D/E/F/G/H/I



Program adjustments

- Frances Online
- Staffing
- Process improvements





Questions?