



# Self-Employed Guidebook



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# About this guide

This guide provides information for self-employed people about the Paid Leave Oregon program. Find more information about Paid Leave Oregon [online](#).

## About Paid Leave Oregon

Paid Leave Oregon is a new program that ensures individuals and families — of every kind — have the time and support they need to care for themselves and their loved ones when life's important moments affect their health and safety. Benefits begin on Sept. 3, 2023.

Self-employed people are not automatically covered under Paid Leave, but they can sign-up for coverage.

If you are self-employed and choose coverage, you can take paid leave:

- To care for yourself or members of your family during the birth of a child, to bond with a child after birth, adoption, or placement of a child in your home through foster care
- To care for yourself during a serious health condition
- To care for a family member when they have a serious health condition
- If you or your child experience sexual assault, domestic violence, harassment, or stalking

In this guide, we will look at:

- How and when you can choose coverage as a self-employed person
- How to cancel coverage as a self-employed person
- Your estimated contributions when you choose coverage, including how long you will need to make payments
- The types of leave covered by Paid Leave Oregon
- The available leave benefits
- How you can apply for leave benefits and what happens after you apply
- How you can file an appeal if you disagree with a decision by Paid Leave Oregon
- How to file a complaint if you are also an employee and need to let us know your employer is not following the law

## Disclaimer

The Oregon Employment Department and Paid Leave Oregon have provided this information as a public service. The goal of this guidebook is to give self-employed people a general overview of their rights and responsibilities under the Paid Leave Oregon program. It is for informational purposes only and is not a legal document. Paid Leave Oregon will make decisions on program coverage and benefit eligibility on a case-by-case basis. Paid Leave Oregon reserves the right to change and update material and information as needed. The Paid Family and Medical Leave act, signed into law in 2019, ([Oregon Revised Statute \(ORS\) 657B](#)) and the related [administrative rules](#) remain the official source of information related to the Paid Leave Oregon program.

## Self-employed coverage

### Who can choose coverage

Self-employed people may choose coverage under the Paid Leave program.

You are generally considered self-employed if **all** of the following are true:

1. You work for your own business or are an independent contractor as defined in [ORS 670.600](#).
2. Your work is in Oregon.
3. You report profits from your business as self-employed income on your Oregon personal income tax return.

Use [“Table 1: Am I self-employed or an employee”](#) to determine whether you are considered self-employed:

	Considered self-employed with option to choose coverage (need to sign-up)	Considered an employee covered under Paid Leave (automatically covered)
Independent contractor who reports self-employed income on their taxes	<b>Yes</b>	No
Business owner who reports profits as self-employed income on their taxes	<b>Yes</b>	No
Business owner who receives a paycheck that is reported on Form W-2	No	<b>Yes</b>
Person who reports self-employed income on their taxes, and who receives a paycheck from one or more employers that is reported on Form W-2	<b>Yes</b>	<b>Yes</b>

**Table 1:** Am I self-employed or an employee

## When to choose coverage

If you are self-employed (see the [“Who can choose coverage”](#) section) and have \$1,000 in net income from self-employment in the previous tax year, you may request coverage under the Paid Leave program at any time. Net income is the income that is left after paying all your business expenses.

If you request coverage, you agree to be covered and to pay Paid Leave contributions for three years.

If Paid Leave approves your request for coverage, you need to start paying contribution payments at the end of the quarter you choose coverage. Benefits begin on Sept. 3, 2023.

**Important:**

In most cases, you must have paid contributions for at least one quarter before you are eligible for benefits. If you have paid contributions for less than a year, you will receive a reduced benefit amount. See the [“Benefit amounts”](#) section for additional information about how Paid Leave calculates your benefit amount.

## How to choose coverage

You have two ways to choose coverage:

### 1. Frances Online

You can complete a request for self-employed coverage online using the Frances Online system at [frances.oregon.gov](https://frances.oregon.gov). This is the fastest way to choose coverage.

**Note:** To use Frances Online and choose coverage, you need to first **register as a self-employed person** and then follow the steps in the system.

### 2. Paper Form

You can find the Request for Self-Employed Coverage Form at [paidleave.oregon.gov](https://paidleave.oregon.gov) under [Resources: Forms and Checklists](#).

You can mail the completed form to:

Attn: Paid Leave Oregon Self-Employed Application  
Oregon Employment Department  
875 Union St. NE  
Salem, OR 97311



## What information you need to choose coverage

When you complete the request for self-employed coverage, you will need to include the information below. You can find more information on the [Self-Employed Checklist](#) on Paid Leave’s website.

<input type="checkbox"/>	Your first and last name.
<input type="checkbox"/>	Your date of birth.
<input type="checkbox"/>	Your Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN). Paid Leave needs this information to verify your income.
<input type="checkbox"/>	Your address and contact information, including your phone number, email address, physical address and mailing address, if different than your physical address.
<input type="checkbox"/>	Information on your primary business activity.
<input type="checkbox"/>	Information about your net income from self-employment in the previous tax year.

You need to verify your annual income from self-employment. You can do this in Frances Online or with the paper form. You can find the Self-Employed Income Verification Form at [paidleave.oregon.gov](https://paidleave.oregon.gov) under [Resources: Forms and Checklists](#).

You will need to provide copies of your most recent federal and state personal income tax returns, which includes federal Form 1040, Oregon Form OR-40 or OR-40-P, and all related schedules.

Use [“Table 2: Oregon residents”](#) and [“Table 3: Part-year Oregon residents”](#) to determine which tax documents you will need to provide.

## Oregon residents

You are a full-year Oregon resident if you filed Form OR-40

Type of business structure	"Net income"	Tax form	Tax form line
Sole proprietorship	Net profit (loss)	Schedule C (Form 1040)	Line 31
Farm	Net farm profit or (loss)	Schedule F (Form 1040)	Line 34
Partnership	<ul style="list-style-type: none"> <li>Guaranteed payments; and</li> <li>Ordinary business income (loss)</li> </ul>	Single filer - Schedule E (Form 1040)	Lines 28i and 28k
		Joint filer - Schedule K-1 (Form 1065)	Lines 1 and 4a
S Corporation	Ordinary business income (loss)	Single filer - Schedule E (Form 1040)	Lines 29i and 28k
		Joint filer - Schedule K-1 (Form 1120-S)	Line 1

**Table 2:** Oregon residents

## Part-year Oregon residents

You are an Oregon part-year resident if you filed Form OR-40-P.

Type of business structure	“Net income”	Tax form	Tax form line
Sole proprietorship	Net profit (loss)	Form OR-40 P	Line 13S
Farm	Net farm profit or (loss)	Form OR-40 P	Line 18S
Partnership	<ul style="list-style-type: none"><li>• Guaranteed payments and</li><li>• Ordinary business income (loss)</li></ul>	Look at your Oregon K-1	Line 1b and 4b
S Corporation	Ordinary business income (loss)	Look at your Oregon K-1	Line 1b

**Table 3:** Part-year Oregon residents

After you submit your request for coverage, we will review it and make a decision to approve or deny your request. Once we have made a decision, we will contact you through your Frances Online account. We will also contact you if we need additional information. If you don't have an account set up or if you choose not to receive electronic communication, we will contact you by mail.

If Paid Leave approves your request, your coverage starts on the date we received your completed request for self-employed coverage and related documents.

**Note:** Paid Leave will deny your request if you don't meet the eligibility requirements or if you don't provide the required information and documentation.

## How to cancel coverage

When you have self-employed coverage under Paid Leave Oregon, you must keep your coverage for at least three years. After three years, you can cancel your coverage at any time.

You may be eligible to cancel your coverage earlier if:

- You have filed a voluntary or involuntary bankruptcy petition.
- Your employment status has changed and you are no longer self-employed.
- You did not earn \$1,000 in net income from self-employment in the previous year.

If you would like to cancel your coverage, you must do the following:

1. Complete a cancellation request in Frances Online at [frances.oregon.gov](https://frances.oregon.gov) or fill out a paper form. You can find the Terminate Self-Employed Coverage Form at [paidleave.oregon.gov](https://paidleave.oregon.gov) under [Resources: Forms and Checklists](#).
2. Include documentation showing your reason for canceling your coverage. Use [“Table 4: Cancellation required documents and effective dates”](#) to find out which documents you must send and the date your cancellation becomes effective.
3. You must continue to pay contributions until we have approved your cancellation.

You may choose coverage again at any time after you have canceled your coverage if you are eligible.

Cancellation reason	Required documents	Date cancellation becomes effective
You have filed a voluntary or involuntary bankruptcy petition	You must attach documentation verifying your bankruptcy petition	On the day we receive your request and documentation
You are no longer self-employed	You must attach documentation showing one of the following: <ul style="list-style-type: none"> <li>• Change in employment</li> <li>• Contract end date</li> <li>• Other documentation that shows you are no longer self-employed</li> </ul>	30 days from when we receive your request and required documentation
You did not earn at least \$1,000 in net income from self-employment in the previous year	You must attach your federal and state personal income tax returns (Form 1040 and Form OR-40 or OR-40-P), including all of your tax schedules	30 days from when we receive your request and required documentation
You have had coverage for at least three years	You don't have to attach documentation	30 days from when we receive your request

**Table 4:** Cancellation required documents and effective dates

**Note:** Paid Leave may end your coverage if you have not paid your contributions. If we end your coverage, you will receive a letter that states why we ended your coverage and the date your coverage will end. The letter will also have instructions on how to resolve potential issues.

If Paid Leave ends your coverage, you need to pay the contribution payments you missed and you can't choose coverage for three years after the date your coverage ended.

## Contributions

Paid Leave Oregon is a program that both employers and employees pay into and benefit from. The Oregon Employment Department (OED) sets the Paid Leave contribution rate every year. OED also adjusts the maximum amount of wages every year based on inflation. OED will announce the contribution rate and maximum wage amount by Nov. 15 of each year. The new rate and maximum wage amount will take effect Jan. 1 of the following year.

If you are self-employed and choose coverage, the Paid Leave contribution rate for 2023 is 0.6% of your annual net income, up to a maximum of \$132,900 in income. This means if you make more than \$132,900 in net income, Paid Leave will calculate your contribution amount for the year based on no more than \$132,900.

## Contributions requirements

Self-employed people who choose Paid Leave coverage must:

1. Pay Paid Leave contributions each quarter, meaning every three months
2. Report their income and send a copy of their tax return to Paid Leave by **April 30** of each year

# Contribution payments

Paid Leave calculates your total contribution amount for this year based on your self-employment net income from last year. Paid Leave uses your tax return from last year to find this income.

You must pay contributions every quarter. This means that you pay contributions four times per year, at the end of each quarter. If your contribution payments begin partway through a quarter, Paid Leave will prorate the amount for that quarter based on the number of calendar days that you have coverage.

The Oregon Employment Department will send you an invoice for the amount of your contribution payment that is due each quarter. You can pay contributions to the Department of Revenue using your Frances Online account at [frances.oregon.gov](https://frances.oregon.gov). You can also send your payment by mail.

Quarter	Period End Date	Contributions Due Date
1 January-February-March	March 31	April 30
2 April-May-June	June 30	July 31
3 July-August-September	Sept. 30	Oct. 31
4 October-November-December	Dec. 31	Jan. 31 of the following calendar year

**Table 5:** Period End Date/Contributions Due Date

Paid Leave recalculates your contributions for the next year based on the new contribution rate that the Oregon Employment Department announces on Nov. 15 and your net income in the past year. The new rate takes effect on Jan. 1. You will start paying your new contribution amount on April 30 of that year.

## Contribution amounts

You can use the example below to calculate an estimate of your total contributions for the year and your contribution payment for each quarter.

### Example 1

Your net income from self-employment on last year's tax return was \$50,000.

#### 1. Total contributions for the year

Calculate 0.6% (2023 contribution rate) of the net income from self-employment on last year's tax return, which in this example is \$50,000.

$$\$50,000 \times 0.006 = \$300$$

Your estimated contributions for the year are \$300.

#### 2. Contribution payment for each quarter

Divide the total contributions amount by four quarters.

$$\$300 \div 4 = \$75$$

Your estimated contribution payment each quarter is \$75.

### Example 2

Prorated contribution payment for part of a quarter:

You choose Paid Leave coverage on May 1, 2023, which is partway through quarter 2. Your net income from self-employment on last year's tax return was \$50,000.

#### 1. Prorated contribution amount for quarter 2

If your coverage starts on May 1 in quarter 2, then you would pay for coverage for May and June. There are 31 days in May and 30 days in June, which is a total of 61 days.

From Example 1, the estimated contribution payment for each quarter is \$75.

Divide the number of days you will have coverage during quarter 2 (61 days) by the total number of days in quarter 2 (91 days):

$$61 \div 91 = 0.67$$



Now multiply this number, 0.67, by the estimated contribution payment for each quarter:

$$\$75 \times 0.67 = \$50.25$$

For quarter 2, you would pay an estimated contribution payment of \$50.25.

**Note:** You can find more examples for proration under [OAR 471-070-2030](#).

## 2. Total contributions for the year

For quarter 3 and quarter 4, you would pay the full contribution payment for each, which is \$75.

The total estimated contributions you would pay for the year includes the contribution payments from quarter 2, quarter 3, and quarter 4.

$$\$50.25 + \$75 + \$75 = \$200.25$$

Your total estimated contributions for the year are \$200.25.

## Income reporting

Once you choose coverage under Paid Leave, you must report your annual net income each year by **April 30**. Paid Leave can't calculate your contribution amount without this information.

**Important:** If you don't verify your annual net income, Paid Leave can't calculate your contributions amount. This may cause Paid Leave to deny your request for coverage or to cancel your current coverage.

If you request coverage before you have filed your Oregon income tax return for the previous tax year, you can send your most recent completed income tax return documents instead.

After you have filed your previous year's tax return with the Oregon Department of Revenue, you must send a copy of your tax return documents to Paid Leave no later than **Oct. 30 of the current year**. If Paid Leave doesn't receive your updated tax returns by **Dec. 31 of the current year**, Paid Leave will cancel your coverage.

You can use the following documents to report your net income each year:

- Your federal personal income tax return documents. You must attach your federal Form 1040 and all your tax schedules.
- Oregon personal income tax return documents. You must attach Oregon Form OR-40 or OR-40-P and all your tax schedules.

You can send these documents to Paid Leave in one of two ways:

- Send them online through Frances Online at [frances.oregon.gov](https://frances.oregon.gov).
- Fill out and send the Annual Income Verification for Self-Employed Paid Leave Coverage Form. You can find the paper form at [paidleave.oregon.gov](https://paidleave.oregon.gov) under [Resources: Forms and Checklists](#).

If your previous tax return documents show a different net income than earlier tax return documents you sent to us, Paid Leave will change your contribution payment amount in future quarters.

- If you paid too much in contributions, Paid Leave will return the amount back to you in future quarters by reducing your contributions amount.
- If you paid too little in contributions, Paid Leave will send you a bill for the difference, meaning the amount you owe. Paid Leave will also correct your contribution payment amount in future quarters.

## Example

You request Paid Leave coverage in January 2024 and have not filed your income tax return documents for 2023. You send Paid Leave your most recent income tax return documents, which are from 2022.

After you have filed your 2023 income tax return documents, you will send them to Paid Leave no later than Oct. 30, 2024. If you don't send these documents by Dec.31, 2024, Paid Leave will cancel your coverage.

Paid Leave will review your 2023 income tax return documents and compare your net income from 2023 to your net income from 2022. Paid Leave will raise or lower your contributions based on any differences between your 2022 and 2023 taxable income.

# Paid Leave Oregon benefits

## Covered types of leave

Life events covered by Paid Leave fall into three different types of leave:

- Family leave
- Medical leave
- Safe leave

If a life event that is covered by Paid Leave keeps you or a family member from working, you may qualify for paid leave. If you experience more than one life event, you may qualify for multiple types of leave.

You can learn more about the length of leave in the [“Leave amount”](#) section and you can find information about how to show verification of your specific life event in the [“What you need to apply”](#) section.

### Family leave

You may qualify for family leave if any of the life events listed in [“Table 6: Family leave covered life events”](#) keep you from working:

Life event	Additional information
<b>Caring for and bonding with a child in the first year</b> <ul style="list-style-type: none"><li>• After birth</li><li>• After adoption occurs</li><li>• After they’re placed in your home through foster care</li></ul>	<p>To qualify for leave for an adoption or foster care placement, your child must be under the age of 18. If they are older than 18, they must be a dependent adult with a physical or mental disability that limits their ability to live independently.</p> <p>If you need to take leave during your pregnancy, you may qualify for <a href="#">“Medical leave”</a>.</p>

**Table 6:** Family leave covered life events

Life event	Additional information
To care for a family member with a serious health condition	<p>Providing care can mean:</p> <ul style="list-style-type: none"> <li>• Medical or physical assistance</li> <li>• Emotional support or comfort</li> <li>• Transportation to and from medical care</li> <li>• Administrative support tasks, like making care arrangements</li> </ul> <p>Any of the following people are a family member:</p> <ul style="list-style-type: none"> <li>• Your spouse or domestic partner</li> <li>• Your child or your child's spouse or domestic partner</li> <li>• Your grandchild or your grandchild's spouse or domestic partner</li> <li>• Your parent or your parent's spouse or domestic partner</li> <li>• Your grandparent or your grandparent's spouse or domestic partner</li> <li>• Your sibling, stepsibling, or their spouse or domestic partner</li> </ul> <p>Anyone you are related to by blood or anyone who is connected to you like a family member</p> <p>You can find more information about what a serious health condition is in the <a href="#">“Medical leave”</a> section.</p>

**Table 6:** Family leave covered life events

### **Births, adoption, or foster care placements before Sept. 3, 2023**

If your child was born, adopted, or placed in your home through foster care before benefits start on Sept. 3, 2023, you can still apply for paid leave as long as you take the leave within the first year after their birth, adoption, or foster care placement.

For example, if you adopted your child on July 13, 2023, then you would qualify for 12 weeks of leave between Sept. 3, 2023, and July 12, 2024, to bond with your adopted child.

## Medical leave

You may qualify for medical leave if you experience a serious health condition that keeps you from working. A serious health condition can be physical, mental, or both. It includes illness and injury.

Paid Leave considers your health condition to be serious if any of the following examples apply to you:

- Your condition requires hospitalization, ongoing professional care, specialized treatments, or multiple appointments with your provider. Examples include, but are not limited to, overnight hospitalizations, home health care treatments, dialysis, physical therapy, or hospice care.
- Your condition has been diagnosed as terminal, chronic, or periodically or permanently incapacitating. Examples include, but are not limited to, cancer, paralysis, or multiple sclerosis.
- Your condition requires surgery and/or treatments to prepare for surgery.
- Your condition involves a period of disability because of pregnancy, childbirth, miscarriage, or stillbirth. It can also include an absence from work for prenatal care, meaning care you need before giving birth.
- Your condition involves an absence from work to donate a body part, organ, or tissue. This includes treatments before surgery, surgery itself, treatments after surgery, and the time you need for recovery.

## Safe leave

You may qualify for safe leave if you or your child experience sexual assault, domestic violence, harassment, or stalking.

**Note:** Your child must be under the age of 18 to be covered under safe leave. If they are older than 18, they need to be a dependent adult with a physical or mental disability that limits their ability to live independently.

You are covered under safe leave if **any** of the following examples apply to you:

- You need legal assistance or help from the police to protect your or your child's health and safety. This includes preparing for and participating in court hearings that are related to sexual assault, domestic violence, harassment, or stalking.
- You or your child need medical treatment or to recover from injuries that were caused by domestic violence, harassment, sexual assault, or stalking.
- You or your child are getting counseling from a mental health professional because of an experience with sexual assault, domestic violence, harassment, or stalking.
- You or your child are getting services from a victim services provider because of an experience with sexual assault, domestic violence, harassment, or stalking.
- You need to move or make your current home secure to protect your or your child's health and safety.

## Leave amount

Every covered employee in Oregon can take up to 12 weeks of paid leave in a one-year period, or benefit year. You can find more information about the benefit year in ["Table 7: Benefit year"](#).

If you are pregnant, have health issues related to childbirth, or have given birth in the year before you plan to take leave, you may be able to take up to two more weeks, for a total of 14 weeks of paid leave. The amount of leave you can take depends on your specific situation and the documentation you provide.

## What does 12 weeks of leave mean?

The maximum leave amount you can take in a benefit year is determined by multiplying your average number of days worked in a week by 12.

### Example 1

You work an average of 5 days per week. You can receive paid leave benefits for up to 60 days in a benefit year (5 days x 12 weeks). You can claim 5 days of benefits per calendar week for 12 weeks or you can claim 60 days over a timeframe longer than 12 weeks if you work some of the days between the start date and end date of your leave.

### Example 2

You work an average of 3 days per week. You can receive paid leave benefits for up to 36 days in the benefit year (3 days x 12 weeks). You can claim 3 days of benefits per calendar week for 12 weeks or you can claim 36 days over a timeframe longer than 12 weeks if you work some of the days between the start date and end date of your leave.

## What is a benefit year?

A benefit year is a 52-week (one-year) period that begins on the Sunday before the day you start your leave. For example, if you start your leave claim on Monday, Oct. 2, 2023, your benefit year starts on Sunday, Oct.1, 2023, and ends on Saturday, Sept. 28, 2024. You can claim up to 12 weeks of leave during this period.

On Sept. 29, 2024, your leave amount resets, which means that you can apply to start another benefit year, if you have a new or continuing qualifying event, and get a new 12 weeks of benefits.

**Table 7:** Benefit year

## Length of leave and schedules

For all types of leave, you can take your leave in amounts equal to a week, a day, or number of days less than a week. You can't take leave in amounts less than a day; for example, an hour or number of hours less than a full day. You can also choose between two different options for your leave schedule: consecutive leave or intermittent leave.

## Consecutive leave

Consecutive leave means that you take leave from the start date to the end date of your leave, without working during that time. You might also say that you are on full-time leave.

### Example

You take five weeks of leave to recover from knee surgery. You don't work during this period.

## Intermittent leave

Intermittent leave means that you occasionally take days or weeks of leave between the start date and end date of your leave, but you also work in between the start and end dates of your leave.

### Example

You may sometimes need medical treatment for cancer. You are approved to take two days of leave every week to receive chemotherapy. You work in between treatments.

## Benefit amounts

While you are taking leave, Paid Leave pays you a weekly benefit amount. Paid Leave will determine the amount you will receive based on:

- Your net income from self-employment in the base year, or the alternate base year (see [“Table 8: Base year/alternate base year”](#))
- The quarters during which you paid contributions
- The amount of leave you take in a work week

**Note:** If you are self-employed, and also work as an employee for at least one employer who participates in Paid Leave, your benefit amount is based on both your self-employed income and your wages.



Your **base year** means the first four of the last five completed calendar quarters before your benefits start.

### Example

If you start benefits in October 2023, your base year is July 2022-June 2023.

Your **alternate base year** means the last four completed calendar quarters before your benefits start. Paid Leave only uses the alternate base year if you did not have \$1,000 of net income from self-employment in the base year.

**Table 8:** Base year/alternate base year

Lower-income earners will generally receive a larger share of their income than higher-income earners. The minimum weekly benefit amount is 5% of the state average weekly wage, and the maximum weekly benefit amount is 120% of the state average weekly wage.

### What is the state average weekly wage?

The Oregon Employment Department calculates the state average weekly wage based on the average wages for all employees throughout Oregon. The statewide average weekly wage is announced each year in June and is effective from July 1 until June 30 of the following year.

You can find the current state average weekly wage amount on Paid Leave's [website](#).

**Table 9:** State average weekly wage

## Counted income

When calculating your benefit amounts, Paid Leave only counts the net income from the quarters in the base year (or alternate base year) during which you made Paid Leave contributions. This is called counted income.

- You need the following information to calculate your counted income:
- Your net income from self-employment in the base year (or alternate base year).
- The number of quarters in the base year (or alternate base year) during which you made Paid Leave contributions.

With that information, follow these steps to find your counted income:

1. Determine your net income from self-employment in the base year (or alternate base year) by adding the net income from the quarters included in the base year (or alternate base year).
2. Divide the amount from step 1 (your total net income) by four, the number of quarters in the base year (or alternate base year) to determine your net income per quarter.
3. Add up the number of quarters in the base year (or alternate base year) during which you made Paid Leave contribution payments. This is the total number of quarters you made Paid Leave contribution payments.
4. Multiply your net income per quarter (the amount from step 2) by the number of quarters you made Paid Leave contribution payments (number from step 3). This final amount is your counted income. Paid Leave will use this amount to calculate your benefit amount.

### Example

- You chose Paid Leave coverage on Jan. 1, 2023, and started making Paid Leave contribution payments each quarter.
- You apply and are approved for benefits in October 2023 after making Paid Leave contributions for three quarters (quarter 1: January-March, quarter 2: April-June, quarter 3: July-September).
- You made \$24,000 in net income from self-employment during the base year, meaning the first four of the last five quarters. In this case, your base year would be July 2022-June 2023.

1. Your taxable income from self-employment in the base year is \$24,000.

2. Divide \$24,000 by four:

$$\$24,000 \div 4 = \$6,000$$

Each quarter of the base year has \$6,000 of self-employed net income.

3. You made Paid Leave contribution payments in quarter 1 and quarter 2 – these are the only quarters that we include in your base year. Quarter 3 is not in your base year.

There are two quarters in your base year that you made Paid Leave contribution payments.

4. From step 2, your taxable income per quarter is \$6,000. From step 3, the number of quarters you make contribution payments is two.

$$\$6,000 \times 2 = \$12,000$$

\$12,000 is your counted income and the basis for calculating your benefit amount.

## Benefit calculation

Once Paid Leave knows your counted income, we follow the process below to calculate your weekly benefit amount.

If you know your net income from self-employment in the base year or alternate base year, the quarters you made Paid Leave contribution payments, and how much leave you are planning to take, you can use these steps to get an idea of what your weekly benefit amount may be.

## Average weekly income

Paid Leave calculates your average weekly income. Your average weekly income is your counted income divided by 52 weeks.

**Note:** We divide your counted income by 52 weeks even if you only paid contributions for part of the year.

## Example

- Your net income from your base year is \$24,000.
- You paid contribution payments for two quarters of your base year.
- Your counted income is \$12,000.

Divide your counted income by 52 to calculate your average weekly income.

$$\$12,000 \div 52 = \$230.77$$

Your average weekly income is \$230.77.

## Weekly benefit amount

Your average weekly income is compared to the state average weekly wage to calculate your weekly benefit amount, meaning the amount you get for a full week of leave.

If your average weekly income is **equal to or less** than 65% of the state average weekly wage, your weekly Paid Leave benefit is 100% of your average weekly income for a full week of leave.

### Example

- Your average weekly income in the example above is \$230.77. The state average weekly rate in this example is \$1,200.
- \$230.77 is less than \$780 (\$780 is 65% of the state average weekly wage in this example). Your weekly benefit amount for a full workweek of leave is \$230.77, or 100% of your average weekly income.

If your average weekly income is **more** than 65% of the state average weekly wage, Paid Leave limits your benefit amount to 120% of the state average weekly wage.

Paid Leave calculates your weekly benefit amount using the following steps:

#### Step 1

Calculate 65% of the state average weekly wage (rounded to the nearest cent).

#### Step 2

Calculate the amount of your average weekly income that is higher than 65% of the state average weekly wage (rounded to the nearest cent).

#### Step 3

Calculate 50%, or half, of your average weekly income that is greater than 65% of the state average weekly wage (50%, or half, of the amount you calculated in step 2).

#### Step 4

Add the amount from step 1 and step 3. This is your weekly benefit amount for a full week of leave.

#### Step 5

Calculate 120% of the state average weekly wage.

## Step 6

Compare your weekly benefit amount (from step 4) to 120% of the state average weekly wage (from step 5). The lower of the two numbers will be your weekly benefit amount.

### Example:

- Your average weekly income is \$1,000.
- The state average weekly rate in this example is \$1,200, and 65% of this is \$780.

Your average weekly income of \$1,000 is more than \$780 (\$780 is 65% of the state average weekly wage in this example). Your weekly benefit amount is \$890.

This is how we calculate that amount:

## Step 1

Calculate 65% of the state average weekly wage (rounded to the nearest cent):

$$\$1,200 \times 0.65 = \$780$$

## Step 2

Calculate the amount of your average weekly income that is greater than 65% of the state average weekly wage:

$$\$1,000 - \$780 = \$220$$

## Step 3

Calculate 50%, or half, of the amount of the average weekly income that is greater than 65% of the state average weekly wage:

$$\$220 \times 0.5 = \$110 \text{ or } \$220 \div 2 = \$110$$

## Step 4

Add the amount from step 1 and step 3. This is your weekly benefit amount for a full week of leave:

$$\$780 + \$110 = \$890$$

### Step 5

Calculate 120% of the state average weekly wage:

$$\$1,200 \times 1.2 = \$1,440$$

\$1,440 is 120% of the state average weekly wage.

### Step 6

Compare your weekly benefit amount (\$890) with 120% of the average weekly wage (\$1,440):

\$890 is less than \$1,440.

Your weekly benefit amount is \$890.

**Note:** If your weekly benefit amount was more than \$1,440, you would only get \$1,440. Paid Leave limits the weekly benefit amount to 120% of the state average weekly wage, or in this example, \$1,440. This is the largest weekly benefit payment anyone could receive.

## Prorated weekly benefit amount

If you are taking less than a full week of leave or if you are taking intermittent leave, Paid Leave will prorate your weekly benefit amount based on the number of leave days you take in a work week.

Prorating means that your weekly benefit amount calculated in Step 2 above is divided by the number of average days you work in a week and then multiplied by the number of leave days you take during the workweek.

### Example

Your weekly benefit amount is \$1,000. You usually work five days a week. You plan to take leave for three of the five days in a week. Your prorated weekly benefit amount is \$600.

This is how we calculate this amount:

### Step 1

Divide your weekly benefit amount by the number of days you usually work in a week:

$$\$1,000 \div 5 = \$200$$

## Step 2

Multiply the result from step 1 by the number of leave days you will take in the week:

$$\$200 \times 3 = \$600$$

If you know your counted income and how much leave you are planning to take, you can use the examples above to estimate your weekly benefit amount.

## Job protection

If you are also an employee, your employer must protect your job while you are on leave if you have worked for your employer for at least 90 consecutive days. If Paid Leave approves your leave, your employer can't end your employment or threaten you for taking leave. They must give you the approved time off.

While you are on leave, you keep any health care benefits you had before taking leave. Your employer can require you to keep paying the same premium costs that you would normally pay.

When you return to work, if you have worked for your employer for at least 90 consecutive days, you have the right to the same job you had when you left. This means you do not lose your job title or role. You will also keep the pension you earned before going on leave.

If your employer, on average, has less than 25 employees, they can give you a different position when you return from leave if your old position is not available. The new position must have similar job duties and the same benefits and pay as your old position.

## Differences between Paid Leave Oregon, the Oregon Family Leave Act (OFLA), and the Federal Medical and Family Leave Act (FMLA)

Paid Leave Oregon does not replace OFLA or FMLA and there are important differences between the three programs. One major difference is that Paid Leave is a paid benefit and OFLA and FMLA are unpaid. You should take leave under OFLA or FMLA at the same time as Paid Leave, if it is for the same qualifying event.

For more information about the differences between the three programs, as well as Oregon Sick Time, see the comparison chart Paid Leave and the Oregon Bureau of Labor & Industries (BOLI) created. You can find the chart on Paid Leave's [website](#).

If you are unsure about which leave program is the best fit for you, connect with your employer.

## Benefit application

### Before you apply

Complete the following tasks before applying for Paid Leave:

#### 1. Put together needed information

When you apply for leave, you need to give Paid Leave certain information, such as how to contact you and details about your self-employment. You also need to submit documentation that shows the life event you have or will experience.

If you know that you will be taking leave, it is helpful to collect the needed information before you start your application process. The [“What you need to apply”](#) section covers the required information and the different forms of leave verification in detail.

#### 2. Create a Frances Online account

If you plan to complete your benefits application online, you need to create a claimant account in [Frances Online](#) before you start your application. You can access Frances Online at [frances.oregon.gov](https://frances.oregon.gov).

**Note:** The claimant account is separate from the self-employed account you created when you registered in Frances Online and chose Paid Leave coverage as a self-employed person.

- » The first account you created is your self-employed account. You used it to register for and choose coverage under Paid Leave. It is where you upload your tax documents and make your contribution payments each quarter, if you pay them online.
- » The second one is your claimant account. This is where you will apply for benefits and send information about your application to Paid Leave. You will also receive information about your claim here.



### 3. Inform any potential employers

If you have an employer, in addition to being self-employed, you must tell your employer about your leave. You can find more information about notifying your employer in the [Employee Guidebook](#).

## When and how to apply

At the earliest, you can send your application 30 days before you start your leave. At the latest, you can send it 30 days after you start your leave. If you apply too early or too late, Paid Leave may deny your application.

**If circumstances outside of your control** prevent you from sending your application during this 60-day period, Paid Leave may accept your application up to one year after the start of your leave. If you experience circumstances outside of your control, you need to send documentation to Paid Leave explaining the cause of the delay. Paid Leave will review your documentation and make a decision.

You can apply in several ways:

- **Frances Online.** To use [Frances Online](#), you need to create a claimant account and then you can follow the steps in the system. Using Frances Online is the quickest way to submit an application.
- **Paper application.** Paper forms will be available on Paid Leave Oregon's website when the program starts. If you can't access Frances Online and send us a paper application, it may take longer for you to receive a response.

You can mail the completed application form to:

Attn: Paid Leave Oregon  
Oregon Employment Department  
875 Union St. NE  
Salem, OR 97311

- **Phone.** You can call 833-854-0166 (toll-free) between 8 a.m. and 5 p.m., Monday through Friday, and Paid Leave staff can help you with your application.

## What you need to apply

### For all types of leave

You must provide the following information on your application no matter which leave type (family, medical, or safe) you are applying for:

<input type="checkbox"/>	Your full legal name and date of birth.
<input type="checkbox"/>	Your Social Security Number (SSN) or Individual Tax Identification Number (ITIN). Paid Leave needs this information to verify your income.
<input type="checkbox"/>	<p>Your contact information, including your phone number, email address, physical address and mailing address, if different than your physical address.</p> <p><b>Note:</b> To ensure your safety, please provide an address where you can receive mail safely.</p>
<input type="checkbox"/>	<p>Your current self-employment information. This includes:</p> <ul style="list-style-type: none"><li>• Your business name and contact information.</li><li>• Your first day of work in this self-employment.</li><li>• Your usual work schedule per week</li></ul>
<input type="checkbox"/>	The type of leave you are applying for (family, medical, or safe).
<input type="checkbox"/>	Your requested leave time frame, including the expected start and end date of your requested leave and your leave schedule ( <a href="#">“Consecutive leave”</a> or <a href="#">“Intermittent leave”</a> ).
<input type="checkbox"/>	Information about workers’ compensation or unemployment benefits you may be receiving.
<input type="checkbox"/>	Information about any equivalent plan coverage you have as an employee and any paid leave you have taken under this plan.
<input type="checkbox"/>	Your benefit payment method. You can choose between a prepaid debit card and direct deposit. If you choose direct deposit, you will also need your banking information including account and routing numbers. Please see the <a href="#">“Benefit payments”</a> section for more information.
<input type="checkbox"/>	Your preference for tax withholding.

## Family leave

After you apply for family leave, you need to show verification for your specific life event. You can find more information about family leave on Paid Leave's [website](#).

### Family leave to care for or bond with a child after birth

You can use any of the following forms of verification:

- Paid Leave Oregon Verification of Birth form.
  - » **Note:** Paid Leave provides this form. Forms will be available on Paid Leave's website when the program starts.
- Your child's birth certificate.
- A Consular Report of Birth Abroad.
- A document by your child's or the pregnant parent's health care provider. The pregnant parent can be you or another parent of the child.
- A hospital admission form related to your child's delivery.

Your verification documents must include the following information:

- Your first and last name as parent or guardian of the child after birth.
- Your child's first and last name.
- Date of the child's birth.
- **Only for an additional two weeks of leave related to pregnancy:**  
Documentation that shows your relationship to the child as the parent that is currently pregnant or gave birth in the year before the start of your leave.

## **Family leave to bond with a child after adoption or foster care placement**

You can use any of the following forms of verification:

- A copy of a court order that verifies your child's placement.
- A letter signed by the attorney representing you as the foster or adoptive parent that confirms your child's placement.
- A document from the foster care, adoption agency, or social worker involved in your child's placement that confirms the placement.
- A document for your child by the United States Citizenship and Immigration Services (USCIS).

Your verification documents must include the following information:

- Your first and last name as parent or guardian of your child after the placement of your child through foster care or adoption.
- Your child's first and last name.
- Date of your child's placement.

## **Family leave to care for a family member with a serious health condition**

If you are caring for a family member with a serious health condition, the verification form needed is the same as for medical leave. See the Medical leave section below for more details.

## Medical leave

After you apply for medical leave for your own serious health condition or family leave to care for a family member with a serious health condition, you need to show verification by a health care provider. You can find more information about medical leave on Paid Leave's [website](#).

You can use any of the following forms of verification:

- Paid Leave Oregon Verification of Serious Health Condition Form.
  - » Note: Paid Leave provides this form. Forms will be available on Paid Leave's website when the program starts.
- [Oregon and Federal Family and Medical Leave Health Care Provider Certification](#).
  - » **Note:** The Oregon Bureau of Labor & Industries (BOLI) provides this form.
- Other documentation from a health care provider that includes the following:
  - » Your or your family member's name.
  - » Your family member's contact information (if applying for family leave).
  - » Your date of birth.
  - » A short description of your or your family member's serious health condition.
  - » The start date of the serious health condition and the expected end date or an explanation that the condition is chronic or permanent.
  - » If the condition impacts you or your family member intermittently, meaning not all the time, and how often it impacts you or your family member.
  - » The health care provider's:
    - Name and title.
    - Certificate or license number and issuing state or country.
    - License area/area of practice.
    - Business name, address, phone number, and email address.
    - Signature from the health care provider and the date the documentation was signed.

## Safe leave

After you apply for safe leave, you will need to show verification. You can find more information about safe leave on Paid Leave's [website](#).

You can use any of the following forms of verification:

- Paid Leave Oregon Verification of Safe Leave Form.
  - » **Note:** This is a self-attestation form, which means you are verifying, or confirming, the reason you need safe leave. You can use this form if you can't access the services mentioned below or if you are concerned for your own safety or the safety of your child. Forms will be available on Paid Leave's website when the program starts.
- A copy of a federal agency or state, local, or Tribal police report, or a formal complaint to a school's Title IX Coordinator that shows that you or your child are a victim of sexual assault, domestic violence, harassment, or stalking.
- A copy of a protective order or other documentation from a federal, state, local, or Tribal court, administrative agency, school's Title IX Coordinator, or attorney that you or your child appeared in or are preparing for any type of legal proceeding (civil, criminal, or administrative) related to sexual assault, domestic violence, harassment, or stalking.
- Documentation from an attorney, police officer, health care provider, mental health professional or counselor, a recognized representative of a religious community, or victim services provider that you or your child are or were getting treatment or counseling, accessing services, or moving because of sexual assault, domestic violence, harassment, or stalking.

## After you apply

After Paid Leave receives your application and life event verification, staff will review it. You will also receive a letter with your weekly benefit amount, which is your potential benefit amount for a full week of leave.

If we need more information to make a decision on your claim, you will need to respond to additional questions. We will let you know through your Frances Online account. If you don't have an account set up or if you chose not to receive electronic communication, we will contact you by mail.

Once Paid Leave has made a decision, you will receive decision letters that tell you if Paid Leave has denied or approved your application. You will also receive information on how to request a hearing to appeal a decision if you don't agree with it.

If you also work for an employer, Paid Leave will let your employer know Paid Leave has received your application. Paid Leave will also tell your employer if we have approved or denied your application. You can find more information about employer notifications in the [Employee Guidebook](#).

# Receiving benefits

## Benefit payments

Once Paid Leave has approved your application and you have started your leave, you will start receiving benefit payments. You will receive benefit payments every week for days of leave taken during the prior week. Paid Leave pays benefits by direct deposit or prepaid debit card.

To receive your first payment, you need to select your preferred payment method during your initial benefit application. If you do not select a preferred payment method, we will send you a prepaid debit card. You can check Frances Online to see the status of your benefit payments.

## Payment options

You can choose between two payment options:

### 1. Direct deposit

With direct deposit, Paid Leave transfers your benefit payments into your checking or savings account at your bank, credit union, or savings and loan association. If you select direct deposit, you will need your routing and account numbers. To avoid issues with your benefit payments, please carefully confirm that your routing and account numbers are correct.

### 2. Prepaid debit card

With a prepaid debit card, Paid Leave deposits your benefit payments onto this card. Paid Leave will send you this debit card when we approve your leave.

## Consecutive leave

You do not have to submit a weekly claim for consecutive leave claims. If you take all of your approved leave in one block of time, you will automatically receive your payments each week without needing to send a weekly claim.



## Intermittent leave

If you take leave on an intermittent schedule, meaning that you occasionally take days or weeks of leave, you need to send a weekly claim before you can receive payment. The weekly claim tells Paid Leave the dates you took leave, the dates you worked, and the dates you didn't work. You can only complete your weekly claim after the end of the week in which you took intermittent leave.

The fastest way to fill out a weekly claim is through [Frances Online](#). However, you can also fill out a weekly claim form by mail or via phone. Forms will be available on Paid Leave's website when the program starts.

You can mail your completed weekly claim form to:

Attn: Paid Leave Oregon  
Oregon Employment Department  
875 Union St. NE  
Salem, OR 97311

Send all weekly claims to Paid Leave within 30 days from the end of the week you took leave. If you send your weekly claim later than 30 days from the end of the week the leave happened, you can no longer receive payment for it.

## Example

- Paid Leave approved your request to take 10 days of intermittent leave between Jan. 1 and March 1, 2024.
- Your first day of leave is Thursday, Jan. 4. Your second day of leave is Monday, Jan. 8.
- To receive a benefit payment for Jan. 4, you need to file a weekly claim between Sunday, Jan. 7, and Monday, Feb. 5.
- To receive a benefit payment for Jan. 8, you need to file a weekly claim between Sunday, Jan. 14, and Monday, Feb. 12.

If **circumstances outside of your control** prevent you from filling out a weekly claim within 30 days from the end of the week you took leave, Paid Leave may still be able to process it. If you experience circumstances outside of your control, you need to send documentation to Paid Leave explaining the cause of the delay. Paid Leave staff will review your documentation and make a decision.

## Paying taxes on benefits

You may need to pay federal and state personal income taxes on your Paid Leave benefit payments. For more information regarding taxability and how Paid Leave benefits can affect your tax situation, please speak with a tax professional.

To reduce the amount of taxes you need to pay at the end of the year, you can have Paid Leave withhold state or federal taxes from your benefit payments. You can find more information on our [Taxability Fact Sheet](#).

You can make this tax election during your initial claim or any time after that on [Frances Online](#) or by filling out and mailing a paper form. Forms will be available on Paid Leave Oregon's website when the program starts.

## Working while on leave

### Consecutive leave

You can't work for your own business or as an independent contractor during days that you are on leave. If you are also an employee, you can't work for that employer on days that you are claiming paid leave.

### Example

- Paid Leave has approved your request for two weeks of consecutive leave.
- You typically work Monday through Friday.
- You will need to take leave for all days you typically work during the approved two-week time frame.

## Intermittent leave

While on an intermittent schedule, meaning that you have a mix of work and leave days each week, you can't work for your own business or as an independent contractor on the days you are taking leave. You are allowed to work on days that you are not taking leave.

### Example

- Paid Leave has approved your request for intermittent leave.
- Your usual work week is Monday through Thursday.
- You take leave on Monday and Wednesday. You may not work on these days.
- You are not taking leave on Tuesday and Thursday. You may work on these days.

## How to change your information

Once you start receiving benefits, you can make changes to your customer information or to your leave claim.

If any of the information you included on your benefit application changes, you must tell Paid Leave as soon as possible. If you are also an employee, you need to tell your employer about changes to the total amount of time you need leave or changes to your start and end dates.

### Changing your information

If you need to change your contact information, address, name, gender pronouns, or your language preferences, you have two options. You can:

1. Log into your [Frances Online](#) account and make changes to your customer account.
2. Fill out a paper form and mail it to us. Forms will be available on Paid Leave's website when the program starts.

**Note:** If you have changed your legal name, you need to give us official documentation that shows the change.

## Changing your leave claim

You may make a number of changes through the claim amendment process.

You can:

- Change your leave start and end dates
- Change your leave schedule (intermittent or consecutive leave)
- Make changes to your current employment and add or remove employment

If you are also an employee, you can change which employers you are taking leave from.

There are two ways to file a claim amendment:

1. Log into your [Frances Online](#) account, select your current claim and click on Make Changes to your Paid Leave Claim.
2. Fill out the Claim Amendment Form and mail it to us. Forms will be available on Paid Leave's website when the program starts.

## Your rights: appeals and complaints

### Appeals

If you do not agree with a decision Paid Leave makes regarding your claim, you have the right to appeal it by asking for a hearing to review the decision. You can ask for the hearing on almost everything related to your claim including:

- Your weekly benefit amount
- The length of leave approved by Paid Leave
- The dates of leave approved by Paid Leave
- Paid Leave's denial of your claim

## How to file an appeal

You can ask for an appeal through a hearing in two ways:

1. Log into your [Frances Online](#) account, select your current claim and file an appeal.
2. Mail your hearing request to:

Attn: Hearings – Paid Leave Oregon  
Oregon Employment Department  
875 Union St. NE  
Salem, OR 97311

## Complaints

If you have an employer, in addition to being self-employed, you can file a complaint if your employer is not following the law. You can find more information about complaints in the [Employee Guidebook](#).

## Contact us

You can find more information about Paid Leave on our website at [paidleave.oregon.gov](https://paidleave.oregon.gov).

If you have questions, you can contact us through our online request form, by phone or through email:

Online request form: <https://paidleavecontact.oregon.gov/hc/en-us/requests/new>

Call: 833-854-0166

Email: [Paidleave@oregon.gov](mailto:Paidleave@oregon.gov)

# Self-employed Guidebook change log