

Paid Leave Oregon Advisory Committee

June 7, 2023

1:00pm – 3:00pm

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

Agenda

<i>Members</i>		Docket #	Topic	Purpose	Presenter
Karen Humelbaugh	David Gerstenfeld	1.0	Welcome	Inform	Karen Madden Humelbaugh &
Jeannine Beatrice	Amanda Dalton	1.1	Welcome New Member		David Gerstenfeld
Jenny Dresler	Linda Herrera	1.2	Member Roundtable		
Eric Hunter	Eric Hunter	1.3	Agency Updates		
Andrea Paluso	Eva Rippeteau	1.4	Approval of April & May Meeting Notes		
Catie Theisen	JaJetta Dumdi	2.0	Benefits Updates	Inform	Danielle Willey
Courtney Veronneau		3.0	Policy & Program Support Updates Legislative Updates	Inform	Kelley Ofoni & Shannon Ball
		4.0	Customer Care, Outreach & Communication Updates	Inform	Michele Schwartz & Angela Yeager
		5.0	Quarterly Trust Fund Updates	Inform	Ayesha Khalid
		6.0	Additional Program Updates	Inform	Karen Madden Humelbaugh

Paid Leave Oregon Advisory Committee Docket

Docket Item:

1.4 – Approval of April & May 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. Quorum was not met at the May meeting and therefore both April and May need to be reviewed and approved.

Docket Materials:

PDF – Paid Leave Oregon Advisory Committee Notes 04-2023

PDF – Paid Leave Oregon Advisory Committee Notes 05-2023

Staff Recommendation:

Approve notes.

Meeting:	Paid Leave Oregon Advisory Committee				
Date/time:	April 5, 2023				
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		
A	Jenny Dresler (employers)	P	Michele Schwartz		
P	Eric Hunter (employers)	P	Angela Yeager		
P	JaJetta Dumdi (employers)	A	Rachel Bruneau		
P	Andrea Paluso (employees)				
P	Eva Rippeteau (employees)				
A	Linda Herrera (employees)				
P	Catie Theisen (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 March Meeting Notes		

David Gerstenfeld shared agency updates. The Employment Department (OED) has been busy during legislative session. Aside from the Paid Leave legislative concepts, the agency also has a bill that would expand the Workshare program, which has passed in the House and is on its way to the Senate. Additionally, there is a bill related to information sharing that would affect how the agency runs the Unemployment Insurance (UI) and Paid Leave programs.

The Workforce Operations division is piloting a new service delivery model, offering virtual scheduling tools and virtual appointments. These allow for any Workforce staff to assist customers from anywhere in the state. The pilot is showing positive results and has allowed people to get appointments sooner, and fewer appointments needing to be canceled or rescheduled.

There has been a focus on fraud and various identity verification tools in the UI program. The U.S. Department of Labor released a report on the need for their department and for states to focus on equity issues when handling identity verification. The report also featured a couple paragraphs commending OED's approach for completing an independent review to look for disparate impacts and taking corrective actions after noticing that some communities were experiencing difficulties getting through the facial recognition ID verification process.

No comments or concerns on March meeting minutes, notes approved.

2.0	Paid Leave Hiring Update	Inform	Juan Serratos
<p>Juan Serratos reviewed the updates on the Paid Leave team’s hiring and recruitment plans. The team intends to hire staff between now and June to ensure there’s time to get all staff trained and prepared prior to Benefits go-live. They are optimistic and have received a lot of interest.</p> <p>Eva Rippeteau asked if there was a breakdown of how many bilingual staff are targeted in each of the 11 languages. Majority of bilingual applicants so far have been bilingual in English and Spanish. The team has recently been posting some recruitments with bilingual requirements in other languages.</p> <p>Eva Rippeteau asked if the committee could assist with sharing and boosting recruitments. The Paid Leave team would appreciate any assistance the committee members could offer with encouraging people to apply. Jobs openings are listed on the website at this link: https://paidleave.oregon.gov/jobs/</p>			
3.0	2023-2025 Agency Request Budget	Inform	Karen Madden Humelbaugh
<p>Karen Humelbaugh shared budget updates. The program is currently utilizing the general fund loan and will soon need to repay using funds from the trust. Employers are required to file first quarter 2023 reports by May 1. The program should have more data to share at the next committee meeting and will continue to provide updates moving forward.</p>			
4.0	Operations, Benefits & Policy Updates Legislative Updates	Inform	Danielle Willey, Shannon Ball, Karen Madden Humelbaugh
<p>Shannon Ball shared legislative updates. There have been about 2,900 bills dropped so far in this legislative session. Of those, Paid Leave is closely tracking 8 that could have an impact on the program.</p> <p>Danielle Willey shared updates on benefits and operations. The team has welcomed two new members to the Benefits Management Team. The definition phase for the Frances Online system is complete and beginning this month, staff will begin testing functionality to ensure the system is useable, easy to understand and to identify any technical issues that need to be resolved prior to launch. Paid Leave is also working with partners from the Modernization team and the FAST vendor to develop technical training for staff on the Frances Online system in conjunction with some of the more technical workflow processes.</p> <p>The team received about 3,000 Declarations of Intent which informs about how many equivalent plan applications they should expect to see. So far, the team has received 1,400 applications and have approved 1,168. The deadline to submit an equivalent plan application is on May 1.</p>			
5.0	Customer Care, Outreach & Communication Updates	Inform	Michele Schwartz & Angela Yeager
<p>Michele Schwartz provided updates on the team’s customer care, outreach and engagement efforts. An internal workgroup was developed to identify and outline Paid Leave’s customer care approach, which can now be found on the website: https://paidleavecontact.oregon.gov/hc/en-us/requests/new. All staff will receive training on this new customer care approach.</p> <p>The outreach and engagement team has reached over 22,000 workers and employers in Oregon through a variety of efforts. April is child abuse prevention month and sexual assault action month so the Paid Leave team is partnering with two non-profits and hosting two events this month which can be found online at: https://paidleave.oregon.gov/news-and-events/. One of the events is specifically for health care providers, and committee members are encouraged to share details with their networks.</p>			

Eva Rippeteau asked if the event for “healthcare” is for both physical and behavioral/mental health providers. Mental health providers are welcome and encouraged to join session but Michele was unsure if the continuing education units would apply to mental/behavioral health providers or not.

Eva Rippeteau mentioned that she works with folks who work in case management and program work in behavioral health and housing services and suggested that she may be able to help coordinate opportunities for Paid Leave to provide trainings to her networks.

Angela Yeager shared communication updates. Communications team is working on the next phase of the statewide campaign for employees and will be looking at Brink’s media plan recommendations next week. The next phase of the Paid Leave website will also roll out in Summer. The updated website will feature a benefits calculator, eligibility quiz, employee toolkit, an appeals page and additional information about benefits. The current website is already available in 5 languages but the new iteration will also be available in Korean and Arabic. A new jobs brochure has been created and translated in 12 and will be available at outreach events. The team is also launching the final phase of the employer ads on social media, which is completely focused on reminding employers that payroll reports are due on May 1.

6.0	Additional Program Updates	Inform	Karen Madden Humelbaugh
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Karen Humelbaugh closed the meeting with a few additional program updates. Paid Leave will have some rulemaking needs post-session and will likely need to submit some as temporary rules which would become permanent at a later date. These topics will be discussed with the Rulemaking Advisory Committee (RAC).

The RAC will be meeting next week to discuss Batch 7 rules on May 12th from 1:00-4:00pm and again the following Monday 17th from 9:00-11:00am.

Action Items

Action	Assigned	Due Date	Completed

Meeting:	Paid Leave Oregon Advisory Committee				
Date/time:	May 3, 2023				
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		
A	Jeannine Beatrice	P	Juan Serratos		
A	Amanda Dalton (employers)	P	Danielle Willey		
A	Jenny Dresler (employers)	P	Michele Schwartz		
P	Eric Hunter (employers)	P	Angela Yeager		
P	JaJetta Dumdi (employers)				
P	Andrea Paluso (employees)				
A	Eva Rippeteau (employees)				
A	Linda Herrera (employees)				
P	Catie Theisen (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 April Meeting Notes		

The committee did not reach quorum and was therefore were unable to approve the April meeting notes. Review of these notes will be pushed to the next meeting.

David Gerstenfeld shared agency updates. The agency had a work session last week in the Ways and Means Subcommittee, where the budget moved forward. They also have a work-session scheduled with the full Ways and Means committee this Friday. The proposed budget is moving forward in the Governor's budget with a few technical changes. The revenue projections for next biennium have changed which have resulted in some proposed reductions. The Employment Department is continuing to pursue additional funding from the federal government.

2.0	Operations, Benefits & Policy Updates Legislative Updates	Inform	Danielle Willey & Shannon Ball
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Danielle Willey shared operation, benefits, and policy updates. The Policy & Program Support team welcomed a new manager and several analysts and also have several ongoing recruitments. A team of about 25 staff have begun testing the Frances Online System for benefits. They are systematically testing the site to be sure it is functioning correctly and are marking down findings when it isn't operating as it should. Managers will review that list before making changes to the system.

Shannon Ball provided a brief legislative update. The team is following 8 bills that are related to Paid Leave. Three of these bills are the Paid Leave’s legislative concepts. HB2290 is still in Ways and Means and anticipate it moving sometime mid-May. SB912 and SB 913 are sitting in queue for the House floor.

JaJetta Dumdi asked about SB31 specific to what a delay would mean for equivalent plants. At this time the team’s understanding is that if there were a delay, it would also delay the equivalent plans. JaJetta also asked if there were delays in future quarters, would it have the same implication for equivalent plans. The team will need to look at this more closely and follow up.

3.0	Customer Care, Outreach & Communication Updates	Inform	Michele Schwartz & Angela Yeager
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Michele Schwartz shared updates from the Customer Care and Outreach team. Customer Care has been working diligently to implement Paid Leave’s customer care principles, particularly around issues of privacy and confidentiality and how that intersects with phone and written communications. They are also considering how to build the principles into training, policies and overall approach. The Outreach team has also been working in partnership with the Communications team to develop employer and provider testimonials. The outreach team has been busy continuing to travel and connect with workers and employers across the state.

Angela Yeager provided updates from the Communications team. They are in the process of designing and translating an employee guidebook and a self-employed guidebook. Communications will also be putting together several additional testimonials to put on the website and post on social media. The last few weeks there has been a heavy focus on communications around payroll contributions to remind employers of the May 1 deadline for submitting combined payroll reports. The statewide marketing and media campaign for employees has been drafted and approved and will next work on the creative deliverables.

4.0	Go-Live Staffing Plan	Inform	Juan Serratos
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Juan Serratos reviewed go-live staffing plan that was provided in the agenda docket. The team used information and data from other states to be prepared and staffed appropriately for the benefits go-live. The team has also created contingency plans in the event that there are more benefit applications submitted than expected.

Andrea Paluso shared her appreciation for the thoughtfulness that went into creating these plans.

5.0	Additional Program Updates	Inform	Karen Madden Humelbaugh
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Karen Madden Humelbaugh reiterated that the team is continuing to grow and hire additional staff and asks committee members to share our openings with their networks. May 1 was the first quarter of contributions filing and the team should have more information about the trust fund status by June.

Action Items

Action	Assigned	Due Date	Completed
Follow up on JaJetta’s question about SB31	Shannon Ball		

Paid Leave Oregon Advisory Committee Docket

Docket Item:

2.0 - Benefits

Docket Summary:**Recruitment Update**

Paid Leave Oregon's Benefits unit continues the multiple recruitments for Customer Care Specialists, Benefits Eligibility Specialists, Investigators, and supervisors. We continue to extend job offers and bring staff onboard weekly and look forward to wrapping up the majority of recruitments in the month of June.

Frances Development

Staff members continued to test specific program areas in Frances to ensure the system is working as expected prior to the benefits program launching this fall. Paid Leave leadership reviews any 'findings' identified by the testers and works with members of the Modernization and FAST teams to address any issues that need resolution. End-to-end testing will begin June 5 and mimics a full and real-world business cycle. This testing verifies business process flows from beginning to end, including testing external interfaces.

Training

Subject matter experts have been working with trainers to develop business process, workflow, and technical training for Frances. The first group of training modules were assigned to staff and managers this week and will be followed by additional virtual training classes in the coming weeks.

Docket Materials:

None

Staff Recommendation:

None, this is an informational item only.

Paid Leave Oregon Advisory Committee Docket

Docket Item:

3.0 – Policy & Program Support

Docket Summary:

Equivalent Plans

On June 1, the department will start denying incomplete equivalent plan applications that are over 30 days old. The employer programs team has been reaching out to those employers throughout May to help get their applications completed. As of May 31, around 20 incomplete applications are expected to be denied.

The deadline for employers with a declaration of intent to apply for an equivalent plan is May 31. Any employer that has a declaration of intent that did not submit an application for an equivalent plan by May 31 will have their declaration cancelled and they will be liable for contributions with penalties and interest backdated to January 1. As of the morning of May 31, there were 617 employers with a declaration of intent that have not applied for an equivalent plan.

Administrative Rules

Paid Leave has filed the latest batch of administrative rules with the Secretary of State's office. The rules cover:

- Benefits and assistance grants: how benefits and penalties are calculated, what happens if a benefit check is lost, stolen, destroyed, or forged, application requirements for assistance grants, and how the minimum benefit amount is calculated.
- Contributions and recovery: The criteria for imposing and collecting penalties and overpayments, situations when an employee is required to provide written notice to their employer, how voluntary income tax withholding may occur, and the order that recovery payments will be applied to balances owed.
- Equivalent plans: application requirements and the amount of time applicants will have to respond if clarity is needed, how disputes between an equivalent plan employer and an employee are to be handled when a hearing is requested, and when an equivalent plan can be terminated or withdrawn.

The timeline for the rulemaking process for this batch is as follows:

- June 1, 2023 – Notices are sent out and public comment period opens
- Public Hearings:
 - Thursday, June 22, (2-4 p.m.) [public hearing #1](#)
 - Monday, June 26, (9-11 a.m.) [public hearing #2](#)
 - Wednesday, June 28 (4-6 p.m.) [public hearing #3](#)
- Friday, June 30, 2023, at 11:59 p.m. PST – public comment period ends

Docket Materials:

N/A

Staff Recommendation:

None, this is an informational item only.

Paid Leave Oregon Advisory Committee Docket

Docket Item:

3.1 - Legislative

Docket Summary:

The 2023 Legislative Session began January 17, 2023. As of May 24, 2023, there are over 2,900 bills that have been introduced so far. Of the 2,900 bills, below is a high level summary of the eight bills the Paid Leave Oregon program is watching as they relate directly to Paid Leave Oregon:

Bill Number	Brief Description	Status of Bill
HB 2290	Paid Leave Oregon's legislative concept to allow the Oregon Department of Revenue to share information with Oregon Employment Department.	1/30/23 - Passed out of Business & Labor and referred to Ways & Means
SB 31	A Engrossed - Requires Oregon Employment Department to determine no later than 8/11/23 if the Paid Leave Oregon Trust Fund is solvent with respect to benefits and grants anticipated to be paid. If the department does not feel it is solvent, to delay the paying of benefits and reevaluate in a quarter.	4/5/23 – Passed Senate Floor 4/27/23 – Passed House Floor 5/8/23 – Governor signed
SB 205	B Engrossed - 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.	4/12/23 – Passed Senate Floor 5/18/23 – Passed House Revenue and waiting for House Floor vote (will need to go back to Senate for conflict amendment vote)
SB 593	Requires Oregon Employment Department to study issues related to Paid Leave Oregon and submit a report by 9/15/24.	4/4/23 – Passed out of Labor & Business and referred to Rules
SB 881	A Engrossed – Allows employer size for worker leasing companies to be calculated at the client employer level beginning July 1, 2024. After July 1, 2024, allows worker leasing companies to file amended returns to be reimbursed contributions previously paid.	4/11/23 – Passed Senate Floor and referred to Business & Labor 5/10/23 – Public hearing in Business & Labor Bill is dead

SB 912	A Engrossed - Paid Leave Oregon's legislative concept to expand overpayments and create a new penalty for equivalent plan employers that don't follow through.	3/23/23 – Passed Senate Floor 5/9/23 – Passed House Floor 5/16/23 – Governor signed
SB 913	B Engrossed - Paid Leave Oregon's legislative concept that has several corrections and housekeeping changes to the Paid Leave Oregon statute.	3/27/23 – Passed Senate Floor 5/9/23 – Passed House Floor and waiting for Senate conflict amendment vote
SB 999	B Engrossed – Makes changes to OFLA to define the one-year period and family member definition. Clarifies in OFLA and Paid Leave Oregon that an equivalent position is a position located within 50 miles of original job site. Permits employers to deduct money from employee's pay who has returned from Paid Leave when the employer advanced certain health care expenses for the employee while on leave.	4/25/23 – Passed Senate Floor 5/17/23 – Passed House Business & Labor and waiting for House Floor vote

Docket Materials:

Staff Recommendation:

None, this is an informational item only.

Paid Leave Oregon Advisory Committee Docket

Docket Item:

4.0 – Customer Care, Outreach & Communications

Docket Summary:

Customer Care & Outreach

Recruitments: We hired our Safe Leave/ITIN Manager, Michael Nguyen, who begins June 1, 2023. Michael will lead this specialized unit within the Customer Care & Outreach team.

Real Voices Project: This project, in collaboration with the Communications team, will collect quotes from Oregonians about how paid leave could have or will help them in the future. We will include quotes in our marketing materials on social media:

We want to hear your stories! Please tell us how Paid Leave Oregon could or will help you. Email your quote and first name for use in our social media and marketing materials to:

paidleaveconnect@employ.oregon.gov

¡Queremos escuchar sus historias! Por favor, díganos cómo podría ayudarle o le ayudará el Permiso Pagado de Oregon. Deje su cita y nombre para usar en nuestras redes sociales y materiales de marketing. También puede enviar su historia por correo electrónico a:

paidleaveconnect@employ.oregon.gov

Key Performance Indicators (KPI) Outreach: Paid Leave is seeking employers and employees to join workgroups to inform our goals and performance metrics. The outreach team is currently connecting with employers and workers in Oregon to invite them to participate in the workgroups which begin in July.

Communications

The new Employee Guidebook is now posted on the Paid Leave website in 12 languages. The English version is online at: <https://d1o0i0v5q5lp8h.cloudfront.net/paidleave/live/assets/resources/Paid-Leave-Oregon-Employee-Guidebook-EN.pdf>. The guidebook covers important topics such as the types of leave covered under Paid Leave Oregon, the application process, leave types and leave duration, detailed information about family, medical, and safe leave, benefit payments, job protections, appeals rights, and more.

A self-employed guidebook is in the works. Communications is currently working on the next phase of the website, with expanded languages in Arabic and Korean, updated employee pages, and new pages on appeals, benefits calculator, and more.

Communications is also working with our vendor on a statewide marketing and advertising campaign for employees, which will launch in August. The theme slogan is: Support When You Need It Most.



We are also working on new employer and service provider video testimonials, preparing to design forms for Go Live, phone recordings for customers and employers, and much more!

Docket Materials:

None.

Staff Recommendation:

None, this is an informational item only.

Paid Leave Oregon Advisory Committee Docket

Docket Item:

5.0 – Quarterly Trust Fund 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 first Economic and Revenue Forecast for 2023 was released on February 22, which is being used to update the current Paid Leave Oregon Trust Fund forecast. In this meeting, we will discuss current contributions data and updated benefit usage assumptions.

Docket Materials:

None

Staff Recommendation:

None, this is an informational item only.