

Paid Leave Oregon Advisory Committee

August 3, 2022
1:00pm – 3:00pm

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

Agenda

		Time	Docket #	Topic	Purpose	Presenter
<i>Members</i> Karen Humelbaugh David Gerstenfeld Jeannine Beatrice Amanda Dalton Jenny Dresler Linda Herrera Eric Hunter Andrea Paluso Eva Rippeteau Paloma Sparks Jessica Giannettino		1:00 pm	1.0	Welcome	Inform	Karen Madden Humelbaugh & David Gerstenfeld
			1.1	Member Roundtable		
			1.2	Agency & Program Updates		
			1.3	Approval of July Meeting Notes		
		1:20 pm	2.0	Policy & Rules Updates	Inform	Cameron Buzzell & Shannon Ball
			2.1	Interagency work with BOLI & DOR		Guests: Erin Seiler, Dylan Morgan, Leila Wall, Megan Denison & John Galvin
			2.2	Model Notice		
			2.3	Administrative Rules		
		2:00 pm	3.0	Communications & Engagement Updates	Inform	Michele Roland-Schwartz & Angela Yeager
		2:30 pm	4.0	Operations Update	Inform	Danielle Willey
			Frances/Go-Live Update			
			Website "Contact Us" ZenDesk Demonstration			

Paid Leave Oregon Advisory Committee Docket

Docket Item:

1.3 – Approval of July Meeting Notes

Docket Summary:

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

Docket Materials:

PDF – Paid Leave Oregon Advisory Committee Notes 07-2022

Staff Recommendation:

Approve notes.

Meeting:	Paid Leave Oregon Advisory Committee				
Date/time:	July 6, 2022				
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	Rachel Bruneau		
P	Amanda Dalton (employers)	P	Angela Yeager		
P	Jenny Dresler (employers)	P	Michele Roland-Schwartz		
P	Linda Herrera (employees)	P	Allen Spangler		
P	Eric Hunter (employers)				
P	Andrea Paluso (employees)				
P	Eva Rippeteau (employees)				
P	Paloma Sparks (employers)				
P	Jessica Giannettino (employees)				

Agenda

Time	Docket #	Topic	Purpose	Presenter
1:00 pm	1.0	Welcome	Inform	Karen Madden Humelbaugh &
	1.1	Member Roundtable		David Gerstenfeld
	1.2	Agency & Program Updates		
	1.3	Approval of June Meeting Notes		

No comments or edits from committee members, June meeting notes approved.

David Gerstenfeld shared agency-wide updates. The Employment Department gave several presentations to various legislative committees on how the agency is doing, including talking about Paid Leave Oregon and Modernization. Although the declining federal revenue still poses challenges, the agency is managing and continuing to maintain good customer service. Over 90% of calls are being answered in under 5 minutes and initial payments and adjudication have been timely. This level of service will be a challenge as revenue declines, but the agency is dedicated to being transparent with the public and legislators as things change. Oregon Employment Department received notice that they have been awarded a competitive grant from US Department of Labor for UI Navigators. This initiative will partner with community-based organizations, providing them with information and resources so that they are able to help serve their communities as well as notify the Employment Department of barriers their communities are facing.

Linda Herrera asked for more information about the process for community-based organizations to partner with the agency once the UI Navigator initiative launches. Organizations will need to have an agreement with the agency and will receive training to make sure they have information. More details about the process will be shared as the program launches.

Karen Madden Humelbaugh provided program updates. The Paid Leave team is continuing to meet with state agency partners regularly. They are working with the Bureau of Labor and Industry (BOLI) to be clear about leave duration eligibility, and qualifying conditions as well as working together on a matrix and assuring both agencies will have similar information on their websites. They are also working with the Department of Consumer and Business Services (DCBS) to make sure that people who qualify to provide insurance for paid leave are documented/listed. They are working with Department of Justice (DOJ) and Department of Revenue (DOR), to track down answers to a number of tax-related questions that the IRS hasn't answered yet.

Paloma Sparks added that she has received questions on whether or not the contributions come out pre- or post-tax. The team is addressing this in their conversations with DOJ and DOR.

Amanda Dalton asked if we could invite partners from DOR or BOLI to join us for a future Advisory Committee meeting. The team will plan to extend an invitation.

1:45 pm	2.0	Communication & Engagement Update	Inform	Michele Roland-Schwartz & Angela Yeager
---------	-----	--	--------	--

Michele Roland-Schwartz shared updates from the Paid Leave Outreach and Engagement team. The team is hosting "Community Conversations," a series of virtual meetings to provide an overview and answer questions about Paid Leave Oregon. Approximately 200 people have attended these meetings each week which adds to around 600 so far.

They will also be launching an additional series of virtual meetings called "Equivalent Plans Explained" to help answer questions for employers. These will be held weekly on Tuesdays at 10:00-11:00am from August 16 -September 13 to help answer employers' questions.

The team has also scheduled in person meetings with businesses, chambers of commerce, culturally-specific service agencies, non-profits, healthcare, coalitions and others. They are in the process of hiring for an additional bilingual Spanish/English staff member to be located in Southern Oregon to help expand connections to that region of the state.

Angela Yeager shared updates from the communications team. The new interim (temporary) website will be going live soon. This new website content management system, SharePoint, is much more accessible than previous versions. It has Google Translate features and works well with screen readers. The team is also continuing efforts to secure a contract for a comprehensive website which will be transcreated (translating the meaning of the words, not just word-for-word) in 11 languages as well as towards a contract for advertising, marketing and education/outreach statewide campaign with Brink Communications. Paid Leave is posting a monthly bulletin, each month being themed on various Paid Leave topics. They just finished creating 12 videos, six in English and six in Spanish, about Paid Leave. Each is about 1-2 minutes about a different topic related to the program.

Paloma Sparks suggested including a page on the website for insurers as some other states do. Andrea Paluso believes it is not the state's role to help connect people to private insurers.

2:00 pm	3.0	Policy & Rules Update	Inform	Shannon Ball
---------	-----	----------------------------------	--------	--------------

The Policy Team is reviewing and incorporating feedback from the Advisory Committee on Batch 3 rules which will become final later this month. Batch 4 rules (43 rules total) are currently out for public comment until August 1, 2022. There will be 3 public hearings held on July 21 at 10:00am - 12:00pm. July 23 at 9:00am - 11:00am and July 26 at 4:00pm-6:00pm.

The drafted Model Notice is being reviewed and will be shared with BOLI for feedback. The team will also plan to present the Model Notice to the Advisory Committee for feedback in August.

The team is currently focused on benefit and grant applications to be prepared when the Modernization team starts programming the system in September. They are working on creating the applications, the decision process, and what benefits look like going through the system.

2:15 pm	4.0	Operations Update	Inform	Karen Madden Humelbaugh
---------	-----	--------------------------	--------	-------------------------

Karen Madden Humelbaugh shared updates on operational work. Paid Leave has hired two new managers for Equivalent Plans, Allen Spangler and Layla Hatoum. The operations work stream has a large scope of work and will have the largest portion of employees in the division and is therefore hiring for many additional positions.

The team is currently working on the phone system. They will ensure that staff receive trauma informed training to be ready to start answering calls. Equivalent Plans go live in September so the team will also be trained on how to process applications and use the Frances system.

Allen Spangler shared what the “Contact Us” page of the website will look like. The team has been seeking feedback to make sure the Contact Us form flows correctly, is easy to use, and has all the correct information. The hope is that this form could potentially mitigate some phone traffic.

Eva Rippeteau suggested providing additional context on the Contact Us form to mitigate potential confusion. Her suggestions included: clarify that it is a request for information, not for submitting a leave request, listing some examples of what types of attachments would be helpful, as well as linking to FAQs. The form is not set up in a way to request leave but rather ask a question. When constituents begin typing in a subject it will auto-populate suggested articles related to their topic. There is decent flexibility with the form and changes can be made if they find people are struggling with the form.

Jessica Giannettino asked if there will be a benefit calculator to help people figure out what type of wage replacement they'll receive. The future comprehensive website will have a benefits calculator.

Action Items

Action	Assigned	Due Date	Completed
Invite partners from DOR and/or BOLI to future meeting	Karen Humelbaugh		

Decisions

- June Advisory Committee meeting notes were approved.

Paid Leave Oregon Advisory Committee Docket

Docket Item:

2.1 – Interagency Work with BOLI & DOR

Docket Summary:

Per the request at the July 2022 Advisory Committee meeting, the following guests are invited to provide an update on their roles with Paid Leave Oregon.

Bureau of Labor and Industry (BOLI)

Erin Seiler, Senior Policy Advisor
Dylan Morgan, Employer Assistance Manager
Leila Wall, Civil Rights Division

Oregon Department of Revenue (DOR)

Megan Denison, Personal Tax and Compliance Division Administrator
John Galvin, Business and Withholding Manager

Docket Materials:

None

Staff Recommendation:

No recommendation as it is intended for a meet and greet and informational purposes only.

Paid Leave Oregon Advisory Committee Docket

Docket Item:

2.2 – Model Notice

Docket Summary:

Paid Leave Oregon has an initial draft of language for the department Paid Leave model notice poster that is intended to meet the requirements of ORS 657B.440 and draft administrative rule 471-070-1300.

In drafting the notice, we were trying to keep it a page in length to allow for easy posting and distribution of the notice by employers, while still including all statutorily required elements and some other basics to help employees understand the program.

The focus so far has been on content, but the notice will need to go through further design and translation before being made available to employers later this year.

Docket Materials:

Paid Leave Oregon Model Notice Poster draft 20220727

Staff Recommendation:

None, this is an informational only item.

Paid Leave Oregon

Starting in 2023, Paid Leave Oregon will serve employees in Oregon by providing paid leave for the birth or adoption of a child, your or a loved one's serious illness or if you or your dependent are a survivor of domestic violence, sexual assault, stalking or harassment.

What benefits are provided through Paid Leave and who is eligible?

Employees in Oregon that have earned at least \$1,000 in the prior year may qualify for up to 12 weeks of paid family, medical or safe leave in a benefit year. While on leave, Paid Leave Oregon pays employees a percentage of their wages. Benefit amounts depend on what an employee earned in the prior year.

Who pays for Paid Leave Oregon?

Contributions are calculated as a percentage of wages. Employers and employees pay a portion of the contribution rate. Your employer may deduct your portion of the contribution rate from your paycheck.

How do I apply and what do I need to tell my employer?

You can apply for leave with Paid Leave Oregon beginning in September 2023. You may apply online at the Paid Leave Oregon website ([Add URL/QR code](#)) or request a paper application from the department. If your application is denied, you can appeal the decision.

If your leave is foreseeable, your employer can require you to give written notice to your employer at least 30 days before starting paid family, medical or

safe leave. If you do not give the required notice, Paid Leave Oregon may reduce your first weekly benefit by 25%.

What are my rights?

If you are eligible for paid leave, your employer cannot prevent you from taking it. Your job is protected while you take paid leave if you have worked for your employer for at least 90 consecutive calendar days. You will not lose your pension while on leave and your employer must keep giving you the same health benefits as when you are working.

How is my information protected?

Any health information related to family, medical or safe leave that you share with your employer is confidential and can only be released with your permission, unless the release is required by law.

What if I have questions about my rights?

It is unlawful for your employer to discriminate or retaliate against you because you asked about or claimed paid leave benefits. If your employer is not following the law, you have the right to bring a civil suit in court or to file a complaint with the Oregon Bureau of Labor & Industries (BOLI). You can file a complaint with BOLI online, via phone or email:

Web: www.oregon.gov/boli

Call: 971-245-3844

Email: help@boli.oregon.gov

Learn more about Paid Leave Oregon

Web: paidleave.oregon.gov

Call: 503-370-5800

Email: paidleave@oregon.gov

Paid Leave Oregon Advisory Committee Docket

Docket Item:

2.3 – Administrative Rules

Docket Summary:

As stated previously, the Paid Leave Oregon Division is drafting the administrative rules in “batches” by October 2022. Below is an update on where the Division is with each batch of administrative rules:

PFMLI Rule Batch	Content	Status
Batch 1	Contributions, Self-Employed, Small Employer, Assistance Grants, and Outreach	Final - January 31, 2022
Batch 2	Equivalent Plans	Final – April 21, 2022
Batch 3	Benefits	Final – July 22, 2022
Batch 4	Miscellaneous (Appeals, Benefits, Contributions, Equivalent Plans, and Tribal Government).	Public Comment Period open until August 1, 2022 at 11:59 p.m. Final in September 2022
Batch 5	Benefits	Public Comment Period open until August 31, 2022 at 11:59 p.m. Final in October 2022

The Batch 5 administrative rules related to Benefits include the benefits rules filed in Batch 4. We are re-noticing the eight draft administrative rules and one rule amendment in the August Oregon Bulletin as the Statement of Need and Fiscal Impact that was noticed during the Batch 4 in July Oregon Bulletin had the appeal language instead of the benefit language. Any feedback provided on the benefit rules during the Batch 4 public comment period will be included and taken into consideration when drafting the final benefit rules in Batch 5.

Docket Materials:

None

Staff Recommendation:

None, this is an informational only item.

Paid Leave Oregon Advisory Committee Docket

Docket Item:

3.0 – Communications & Engagement Updates

Docket Summary:

Communications: The interim website has launched and response has been positive. We recently produced informational rack cards for employers and employees that the outreach team will be using as they meet with employers and organizations. They are also posted on the website under Resources. We have finalized a contract for the new comprehensive website, to be launched in the winter. We are close to also finalizing a contract for a statewide outreach/education advertising campaign, with the first phase aimed at employers. Communications also finalized 12 Paid Leave Videos in English and Spanish. The Paid Leave playlist on Youtube is at: <https://youtube.com/playlist?list=PLGapH16HplgaHXxUeRZJBtOKKbygZgdaA>

Outreach and Engagement: The *Paid Leave Oregon Contact Us* form is live on our website and the public is actively using this form to ask questions and schedule presentations. The outreach team is actively presenting static (weekly sessions) and non-static (presentation with specific groups) both in-person and virtually. We are gearing up to host weekly sessions for Employers on Equivalent Plans and plan to extend our *Community Conversations about Paid Leave Oregon* sessions through September with a revised schedule. The Paid Leave event calendar is on our website at: <https://paidleave.oregon.gov/get-involved/Pages/default.aspx#anchorupcomingevents>

The outreach team is identifying and working with community-based partners to host informational sessions for the public with a particular focus on outreach to community partners serving BIPOC, immigrants and refugees, women, LGBTQIA2S+, people with disabilities, and individuals who are justice involved or were formerly incarcerated.

Docket Materials:

Final_Paid Leave Oregon-8.5x5.5-Brochure-Spanish-NoBleed
Final-Paid Leave Oregon-8.5x5.5-Brochure-English-NoBleed (1)

Staff Recommendation:

None, this is an informational item only.

¿Quién paga por el Permiso Pagado de Oregon?

Todos pagamos y nos beneficiamos del programa. Así funcionan las contribuciones:

- La tasa de contribución no será superior al 1% del salario.
- Los empleados pagan el 60% de la contribución, sin importar el tamaño de la empresa.
- Las empresas con 25 empleados o más pagan el 40% de la contribución.
- Las pequeñas empresas con menos de 25 empleados no están obligadas a contribuir. Hay subsidios de ayuda disponibles.

 Permiso Pagado
de Oregon

Permiso Pagado de Oregon

**¿Tiene preguntas?
Estamos aquí para ayudarle.**

 Permiso Pagado
de Oregon

Visite: paidleave.oregon.gov

Correo electrónico: paidleave@oregon.gov

Llame: 833-854-0166

Tranquilidad cuando más importa.

El Permiso Pagado de Oregon es un nuevo programa que permite a los empleados de Oregon tomarse tiempo libre remunerado para muchos de los momentos más importantes de la vida.

Permiso pagado para cuidar de usted y sus seres queridos

Tipos de permisos cubiertos



Permiso familiar: para cuidar a un familiar con una enfermedad o lesión grave, o para crear vínculos con un hijo recién nacido, adoptado o colocado en un hogar de acogida.



Permiso médico: durante una enfermedad grave que usted padezca.



Permiso por seguridad: para sobrevivientes de agresión sexual, violencia doméstica, acoso u hostigamiento.

¿Cuándo comienza el programa Permiso Pagado de Oregon?



Las contribuciones empiezan en enero de 2023. Los empleados pueden empezar a solicitar los beneficios en septiembre de 2023.

¿Quién está cubierto?

Cualquier empleado, sin importar la cantidad de horas que trabaje, que haya ganado al menos \$1,000 durante el año anterior a la solicitud de beneficios, podría ser elegible. Esto incluye a los empleados agrícolas y a quienes utilicen un Número de Identificación Personal del Contribuyente para presentar sus impuestos. Los gobiernos indígenas, los trabajadores autónomos y los contratistas independientes pueden optar por participar, pero no están obligados.

¿Qué beneficios se incluyen para los empleados de Oregon?

- Hasta 12 semanas de permiso pagado al año (hasta 14 semanas por permiso médico relacionado con el embarazo).
- Puede tomar un permiso de un día, una semana o un mes libre por vez.
- Si trabajó para su empleador más de 90 días, su empleo está protegido. No pueden sancionarlo por tomarse tiempo libre.
- El monto del beneficio que reciba dependerá de su salario y de sus ingresos. Visite nuestro sitio web para más detalles.
- Muchos empleados tienen cubierto el 100% de su salario.

Who pays for Paid Leave Oregon?

Paid Leave Oregon is a program we all pay into and benefit from. Here's how contributions work:

- The contribution rate will not be more than 1% of wages.
- Employees pay 60% of the contribution rate, no matter the employer size.
- Employers with 25 or more employees pay 40% of the contribution rate.
- Small employers with fewer than 25 employees are not required to contribute. Assistance grants are available.



Paid Leave Oregon

**Have questions?
We're here to help.**

Visit our website: paidleave.oregon.gov
Email us: paidleave@oregon.gov
Call us: 833-854-0166



Peace of mind when it matters most.

Paid Leave Oregon is a new program that allows employees in Oregon to take paid time off for many of life's most important moments.



Paid leave to care for yourself and those you love

Types of leave covered



Family Leave: to care for a family member with a serious illness or injury, or to bond with a new child after birth, adoption or foster care placement.



Medical Leave: during your own serious health condition.



Safe Leave: for survivors of sexual assault, domestic violence, harassment, or stalking.

When will the Paid Leave Oregon program start?



Contributions start in January 2023. Employees can start applying for benefits in September 2023.

Who's covered?

Any employee, no matter how many hours you work, who earned at least \$1,000 in the year before claiming paid leave may be eligible. This includes agricultural employees and those who may use an Individual Taxpayer Identification Number to file their taxes. Tribal governments, those who are self-employed, and independent contractors may choose to participate, but are not required.

What benefits are included for Oregon employees?

- You can take up to 12 weeks of paid leave per year (up to 14 weeks for pregnancy-related medical leave).
- You can take your leave when you need—a day, week or month at a time.
- If you've worked for your employer more than 90 days, then your job is protected. Your employer cannot penalize you for taking time off.
- The benefit amount you get paid will depend on your wages and income. Visit our website for more details.
- Many employees will have 100% of their wages covered.

Paid Leave Oregon Advisory Committee Docket

Docket Item:

4.0 – Operations Updates

Docket Summary:

The Employment Department is on track to launch Frances Online to our business customers on September 6th. The Operations team in Paid Leave has been working closely with staff in Modernization to build, test, and train within the new environment to ensure functionality meets business needs, particularly for businesses that will be submitting an equivalent plan application in September. Training will continue through the month of August to ensure all new Paid Leave staff supporting the Equivalent Plans unit are proficient in using the system ahead of launch.

The Operations and Outreach teams successfully launched the “Paid Leave Contact Form” as a more streamlined way for the division to track and respond to questions submitted by our customers. Rather than a static form where the submitter must do their best guess at describing their situation or question, the contact form ‘reacts’ to the responses given by the submitter. For example, the option to ask questions about Assistance Grants is presented after the submitter indicates that they are a small employer. Additionally, the form is formatted to require certain fields that may occasionally be forgotten by the submitter but are critical to respond to the question timely.

The Outreach team has been responding to the questions submitted through this form and have resolved over 200 requests with overwhelmingly positive feedback.

The form can be found here: <https://paidleavecontact.oregon.gov/hc/en-us/requests/new>.

Docket Materials:

PDF – Submitting a Contact Form Request for a Customer

Staff Recommendation:

None, this is an informational item only.

Submitting a presentation request on behalf of a customer

Step 1: Go to <https://paidleavecontact.oregon.gov/hc/en-us/requests/new>.

Step 2: Fill out the requested information and be as specific as possible. When done, select “Submit.”

Please see the example below for an employer requesting a presentation.

I am...

An Employer

Employer size

I have fewer than 25 employees

I have a question about... (optional)

Requesting a presentation

Name of organization

ABC Company

Preferred dates and times of presentation?

Thursday or Friday before 12:00pm

Virtual or in-person?

In-Person

How many participants do you expect?

10

Will you need accommodations, such as language interpretation? (optional)

No

****NOTE:** When filling out the form, please use the customer’s information so that a Paid Leave Oregon team member can contact the customer directly. Be sure to include the name and preferred method of contact.