

Oregon Employment Department Advisory Council Second Quarterly Meeting							
Date/time:	April 26, 2023   1:00 p.m. to 5:00 p.m.						
Location:	Zoom platform						
Attendees:	A – Absent P – Present						
P	Catie Theisen, Chair	P	Tom Cusack	P	Rebecca Nance	P	Lindsay Leahy
P	Kurtis Baker, Vice-Ch	P	David Gerstenfeld	P	Perla Brambila-Arechiga	P	Karen Humelbaugh
A	Haley Alves	P	Laurie Westenberg	P	Jeannine Beatrice	P	Renee Royston
A	Robert Camarillo	P	Royce Williams	P	Lori Graham		
A	Marc Chrismer	P	David Genz	P	Bob Uhlenkott		

## MINUTES - DRAFT

	Topic	Minutes	Presenter
1.	Welcome, self-introductions of Advisory Council members & OED staff	Chair Catie Theisen called the second quarter meeting of the Oregon Employment Department Advisory Council to order at 1:01p.m. Catie asked Council members, OED staff, and guests to introduce themselves.	Catie Theisen
2.	Approval of January and March Minutes	Voting on January and March meeting minutes, deferred.  Recommendation to extend meeting scheduled for May 24 from 30 to 45 minutes as public comment is required because possible action may be taken (approval of minutes).  Council members agreed to extend May 24 meeting to vote on minutes and allow for public comment.	Catie Theisen
3.	Memorialize Email Vote for POP #115 Support	Vote for Policy Option Package (POP) #115 support deferred to May 24 meeting.  All council members agreed.	Catie Theisen
4.	Acting Director's Report	Budget was to have a work session this afternoon, April 26. Delayed and to be held tomorrow, April 27 - not expecting to testify. Big shifts have have occurred regarding economic forecast; have received updated information from US Department of Labor (USDOL), states are seeking additional federal funding. USDOL has not made a decision or notified states. Hoping it will mean more revenue. The most recent forecast did not change for the next biennium. \$20 million in changes, and of those \$20 million, \$9 million are non-personnel related. If there is additional revenue, we hope to "buy back" those positions. Our budget is constantly changing throughout each biennium.  In addition to legislative work and modernizing UI, Paid Leave has started to receive payments for 1 <sup>st</sup> quarter 2023, and will start accept	David Gerstenfeld

		<p>benefit applications in late August. We are continuing to make adjustments to the system to help employers and third parties file reports.</p> <p>Question from Tom Cusack: Is POP #115 going to be considered tomorrow (April 27 - at the W&amp;M TED Subcommittee)?</p> <p>Answer: So far we haven't heard many concerns, we have had some follow up discussions and legislators seem supportive and don't anticipate any big challenges.</p>	
5.	Member Talk- Oregon Housing Blog	<p>Author of Oregon Housing Blog, Tom Cusack shared <a href="#">pdf</a>.</p> <p>Tom shared a bit about his personal life. His family received assistance during his childhood and stood in unemployment lines with his mother. When he completed high school he went to Vietnam, after his return he attended college.</p> <p>He worked for US Housing and Urban Development (HUD) in four different cities for 34 years in management positions. He retired in 2007.</p> <p>When he retired, he started the Oregon Housing Blog to share his knowledge. The key was he wanted to be independent and not dependent on contracts.</p> <p>The blog is directed to those in the housing sector, there is no advertisement for the blog.</p> <p>Every blog post is accompanied by a tweet. Upcoming post will include updated homeless data and how work support programs help these people move towards self-sufficiency.</p>	Tom Cusack
6.	Member Talk- Oregon AFL-CIO	<p>Catie has been at AFL-CIO for three years.</p> <p>Oregon AFL-CIO is a state chapter of the nation labor organization, not a union but a federation of Oregon's local unions.</p> <p>Oregon AFL-CIO has 54 affiliated unions in the state, and represents over 300,000 working Oregonians.</p> <p>A voice for all workers in the legislative process and political campaigns during elections.</p> <p>Oregon AFL-CIO has their Political Director run legislative field projects. Currently focusing on local elections on May 16<sup>th</sup>, 2023.</p> <p>Help workers by connecting them with the correct union.</p> <p>Have staff member who works as labor liaison with the Oregon Employment Dept.</p>	Catie Theisen

7.	Rules Advisory Council (RAC) Brief Conversation and other updates	<p>Trade Adjustment Act (TAA), is on pause at the federal level. Rebecca asked Acting Director Gerstenfeld to talk about the importance of the TAA program. Oregon has one of the best Trade Act programs, with the highest number of any state. This federal legislation unfortunately sunsetted (due to a legislative drafting error).The program is structured so when a layoff happens a petition is filed. For petitions that were approved, prior to the sunset, we can provide monetary assistance and help them get retrained for work. Because of the lapse in this program, the additional money for states running trade act program has not be distributed. Currently we can spend federal money and we will get funding to service existing petitions but no new petitions are being approved.</p> <p>The council, has two active applications, employee applicant Bob Westerman and employer applicant Kathy Nishimoto. We expect appointments soon.</p> <p>About six months ago we discussed that the OED Advisory Council will also serve as the rules advisory council (RAC) for the department, with the exception of Paid leave rules.</p> <p>This is a reminder, we don't have currently have rules for discussion, but it will be a standing agenda item, we expect draft rules for RAC consideration at the July meeting.</p>	Rebecca Nance
8.	Possible Data Sharing Rule & Economic Outlook	<p>OED'S Research Director, Bob Uhlenkott, shared <a href="#">power point</a> for his Workforce and Economic Update.</p> <p>Currently working on informed consent rule and we are looking at opportunities to broaden data sharing. Looking to bring this to RAC meeting in July.</p> <p>Key points covered for Workforce and Economic Update:</p> <ul style="list-style-type: none"> <li>• Core Labor Market Information-Jobs, Unemployment, and Labor Force.</li> <li>• The Aging Population and In and Out-Migration Trends.</li> <li>• Inflation/Interest Rates, Recession/Expansion.</li> <li>• Long Term Industry and Occupational Projections, New Phenomena, and other Economic Drivers.</li> </ul> <p>Question: from Tom Cusack. Multnomah County had less jobs prior to the pandemic, what does that look like now?</p> <p>Answer: Multnomah County lost 83,500 jobs from February 2020 to April 2020 during the height of the pandemic. As of March 2023 Multnomah County gained back 61,100 jobs, leaving 22,400 jobs left to recover to get back to pre-pandemic levels.</p>	Bob Uhlenkott

9.	UI Customer Service Update	<p>Unemployment Insurance Data Analytics Team has improved access to data and how it is used to improve work and learn about gaps.</p> <p>Implemented a Workforce Management Platform, provides users with forecasted call volumes and provides users with real time data. Ensures leaders can plan ahead and make adjustments as needed to improve customer service.</p> <p>Added precision queuing, which automatically pulls in additional staff to support when call volumes rise. Allow us to have the most skilled staff receive the calls prior to adding additional staff.</p> <p>With call volumes going up can, Preview Dialer Campaigns were added to claims program. Used to assign non phone work items to staff, has improved handle time of work items processed within Mainframe. It has improved accountability by assigning work to staff that is available and allowing managers to see the number of items that remain to be worked, and number of work items completed.</p> <ul style="list-style-type: none"> <li>• Between April 2022 and April 2023, we have handled an average of 29,000 calls per month.</li> <li>• We have reduced our average hold times from 26 minutes in December 2022 to an average of 17 minutes in April 2023.</li> <li>• 69% of “Contact Us” tickets are being resolved within 7 days</li> <li>• Over 70% of initial claims are processed within 4 days of filing</li> <li>• Approximately 80-90% of UI benefit first payments are paid out within 21 days</li> <li>• Over 90% of issues on claims are resolved in under 28 days, and over 80% are resolved within 14 days</li> <li>• Over 80% of our administrative decisions are issued within 21 days of the date the issue is detected</li> <li>• We are currently attending approximately 100 hearings each day to ensure the Office of Administrative Hearings (OAH) can resolve their workload</li> <li>• We have closed almost 11,000 ID theft cases since August 1, 2022</li> <li>• We have worked with law enforcement throughout Oregon and outside the state to investigate ID thieves, and worked with the Office of the Inspector General to prosecute four of OED’s larger fraud cases</li> <li>• Please keep in mind that this is being done with about 55% fewer staff in UI than we had in Feb 2022</li> </ul> <p>Using lessons learned during the pandemic to improve program.</p>	Lindsi Leahy
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10	Break	Five minute break.	All
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11	Legislative Measures of Note & Session Update	David Genz, shared High Priority Bills	David Genz
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Bill #:	Sponsor:	Description:	Committee:	Status:
<a href="#">SB 31A</a>	Senate Labor and Business	Paid Leave Trust Fund Solvency	<a href="#">House B &amp; L</a>	Passed in the Senate, 3 <sup>rd</sup> Reading Scheduled 04/26
<a href="#">HB 3331</a>	Rep. Holvey	UI Work Share	<a href="#">Senate L &amp; B</a>	Passed in the House, 3 <sup>rd</sup> Reading Scheduled 04/27
<a href="#">SB 912A</a>	Senate Labor and Business (for OED)	Paid Leave Overpayments and Penalties	<a href="#">House B &amp; L</a>	Passed in the Senate, 2 <sup>nd</sup> Reading Pending in the House
<a href="#">SB 913A</a>	Senate Labor and Business (for OED)	Paid Leave Technical Fixes	<a href="#">House B &amp; L</a>	Passed in the Senate, 2 <sup>nd</sup> Reading Pending in the House
<a href="#">SB 489</a>	Sen. Gorsek & Rep. Evans (for OSEA)	UI Benefits for "Non-professional" School Employees	<a href="#">House Ed</a>	Passed in the Senate, <a href="#">Public Hearing Scheduled 05/03</a>
<a href="#">SB 205A</a>	Governor (for DOR)	DOR & OED Fraud Prevention	<a href="#">House Rev</a>	Passed in the Senate, <a href="#">Public Hearing Scheduled 05/03</a>
<a href="#">HB 2008</a>	Rep. Rayfield, Sen. Wagner, and many others	Protections from Debt Collection	<a href="#">House Rules</a>	<a href="#">Public Hearing Scheduled 04/27</a>
<a href="#">SB 5507</a>	OED (at the Request of DAS)	OED Budget Bill	<a href="#">J W &amp; M TED</a>	<a href="#">Work Session Scheduled 04/27</a>
<a href="#">HB 2290</a>	Governor (for OED)	Other Agency Information Sharing	<a href="#">J W &amp; M</a>	<a href="#">Work Session Held, Work Session Pending</a>

At the midway point of the legislative session. Bills appear to be on track. Budget bill has been scheduled for work session on April 27, SB 5507.

Of the four OED pieces of legislation, three are in a good place and one in a holding pattern (HB 2290). HB 3331 (Work Share) had hiccups in the House but is easily moving through the Senate.

SB 912A and SB 913A (Paid Leave Bills) were passed in the Senate have passed through the House committee, and are pending second reading in the House – good spot on these bills; don’t anticipate issues with these being passed.

HB 2290, Paid Leave and UI programs information sharing with Department of Revenue, was referred to Joint Ways and Means committee and has been there since February. We anticipate more activity after the May revenue forecast. It’s in a holding pattern.

SB 31A, bill addressing potential Paid Leave solvency challenges.

Question from Tom: SB 881A, what is this about?

Answer: Is would change how we handle Paid Leave program as it pertains to Professional Employer Organizations (PEOs). It would permit employers using PEOs to report the number of employees to us directly so we can pass on the savings to the employer contribution to employer

		clients with fewer than 25 workers. Bill passed in the Senate and hearing has not yet been scheduled in the House.	
12	Modernization Update	<p>OED Modernization Director, Renee Royston shared <a href="#">power point</a> with Modernization updates.</p> <p>Overall timeline for program currently focused on Paid Leave and UI benefits. Looking for systems that improve customer interaction.</p> <p>Project continues on time and under budget.</p> <p>Single report for filing, is what employers requested. This has successfully rolled out.</p> <p>UI claims will go live in ten months.</p> <p>Successfully transferred those employers who were using previous system.</p> <p>In March we launched updated payment program linked with Department of Revenue (DOR).</p> <p>Have worked with largest third party administrators.</p> <p>Team continues to support Contributions and Recovery and Paid Leave with training as well as helping with testing out system as it improves.</p> <p>There will be a separate portal created for claimants.</p> <p>In May we will continue with four tiers of training.</p> <p>In July, team will start simulating different cases.</p> <p>Preparing to host various groups the week of May 15 to help them walk through the process and give feedback.</p> <p>Have focus on UI, developing system to meet need of UI claimants.</p> <p>Conversion has begun from Mainframe to Frances.</p>	Renee Royston
13	Paid Leave Oregon Update	<p>Karen Humelbaugh, Paid Leave Oregon director, gave program update.</p> <p>Have been busy legislatively, series of bills (SB 912, SB 913, SB 31, SB 999, SB 881 and HB 2290). There is a Paid Leave Oregon specific advisory committee consisting of employer and worker representatives.</p> <p>The batch seven of rules anticipate public hearings on the following dates: June 22, 26, and 28.</p> <p>Anticipating more rule making post-legislative session, some may be temporary rules.</p> <p>Go live to start accepting benefit applications is August 14, program will statutorily go live over Labor Day weekend.</p> <p>A lot around policy, a lot of testing – it is a big body of work.</p>	Karen Humelbaugh

		<p>Equivalent plans, alternatives that businesses may choose, offer equal to or better benefits than what the state plan is offering. Of the 1778 applications received for equivalent plans, 1498 have been approved thus far. Employers have until May 31, 2023 to submit a declaration of intent (DOI). This is a one-time body of work, moving forward employers will just renew. There are 3051 DOIs.</p> <p>Currently awaiting quarterly filings for first quarter 2023 are due May 1<sup>st</sup>. We are monitoring who is filling and who isn't, anticipating a lot of back and forth with employers.</p> <p>\$30 million of known contributions so far. Once we repay the general fund loan we will begin building the Paid Leave trust fund.</p> <p>We continue to hire cohorts who will be customer- facing. Hiring bilingual individuals and trying to have a diverse team.</p> <p>Continue to provide communications to employers but starting to shift to educate employees and what will happen when benefits go live. Strong social media presence.</p> <p>Language access has been recently updated, with six required languages currently, and will continue to upload in eleven languages. Working towards these goals.</p> <p>About 380 people signed up for cross divisional open house that will include staff from Contributions and Recovery and Modernization.</p>	
14	<p>Interagency Compliance Network report overview</p>	<p>Interagency Compliance Network (ICN) has the goal of compliance with tax laws across seven state agencies.</p> <p>Each biennia, the ICN is required to provide a report to the legislature. There are three areas of focus for the ICN: 1) Worker classification; 2) under the table payments; and, 3) related work place and tax issues.</p> <p>In 2021 and 2022, the ICN has witnessed how inflation puts pressure on businesses, how there is continued business disruption caused by the pandemic.</p> <p>This has made us look at how we go through our processes.</p> <p>Key activity of the ICN has been information sharing among agencies, Oregon State is an employer made up of several agencies but had not been able to share information, the ICN has allowed us to share.</p> <p>We focus on outreach and assistance -There were about 200 outreach events initiated by ICN, along with multiple joint audits.</p> <p>Additionally there were over 700 business sweeps.</p> <p>The top five sectors with violations were related to the construction industry.</p>	

15	Public Comment	No public comment.	
16	Adjourn	Adjourned at 3:08 pm Next meeting May 24, 2023. Extended from 30 to 45 min, to vote on minutes and pop 115.	

## ACTION ITEMS

Action	Assigned	Date Due	Completed

## FUTURE MEETING TOPICS

Action	Assigned	Date Due	Completed
Rulemaking promulgation at quarterly meetings	Rebecca Nance		

Minutes submitted by Perla Brambila-Arechiga 4.26.2023