



Paid Family and Medical Leave Insurance (PFMLI)

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Oregon joins nine others in having a paid family and medical leave insurance program

Colorado

• Benefits start January 2024

Oregon

• **Benefits start September 2023**

Connecticut

• Benefits start January 2022

Massachusetts

• Benefits started January 2021

Washington DC

• Benefits started July 2020

Washington

• Benefits started January 2020

New York

• Benefits started January 2018 ✓

Rhode Island

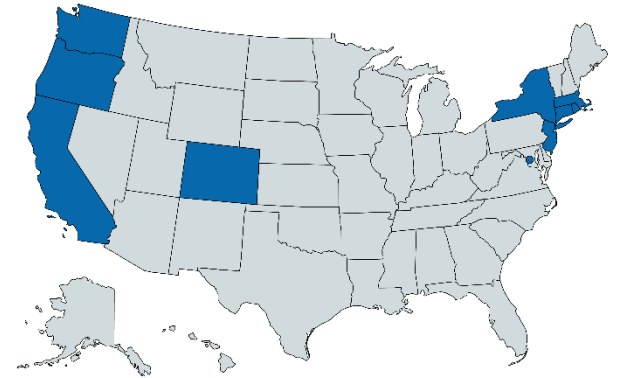
• Benefits started January 2014 ✓

New Jersey

• Benefits started July 2009 ✓

California

• Benefits started July 2004 ✓



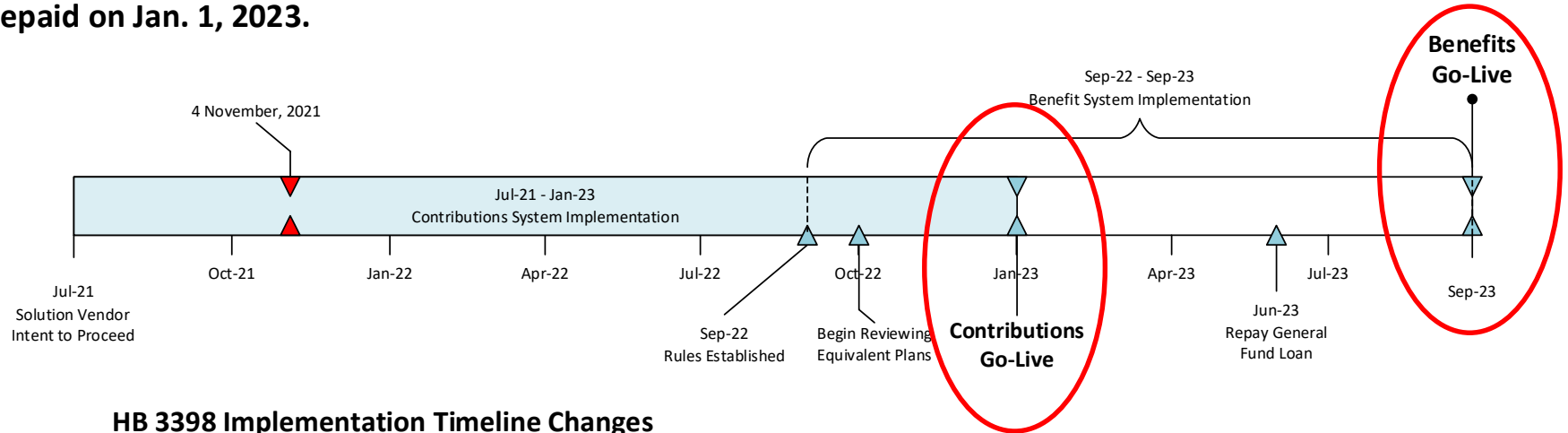
✓ Many evolved from existing state disability insurance programs



Statutory timelines

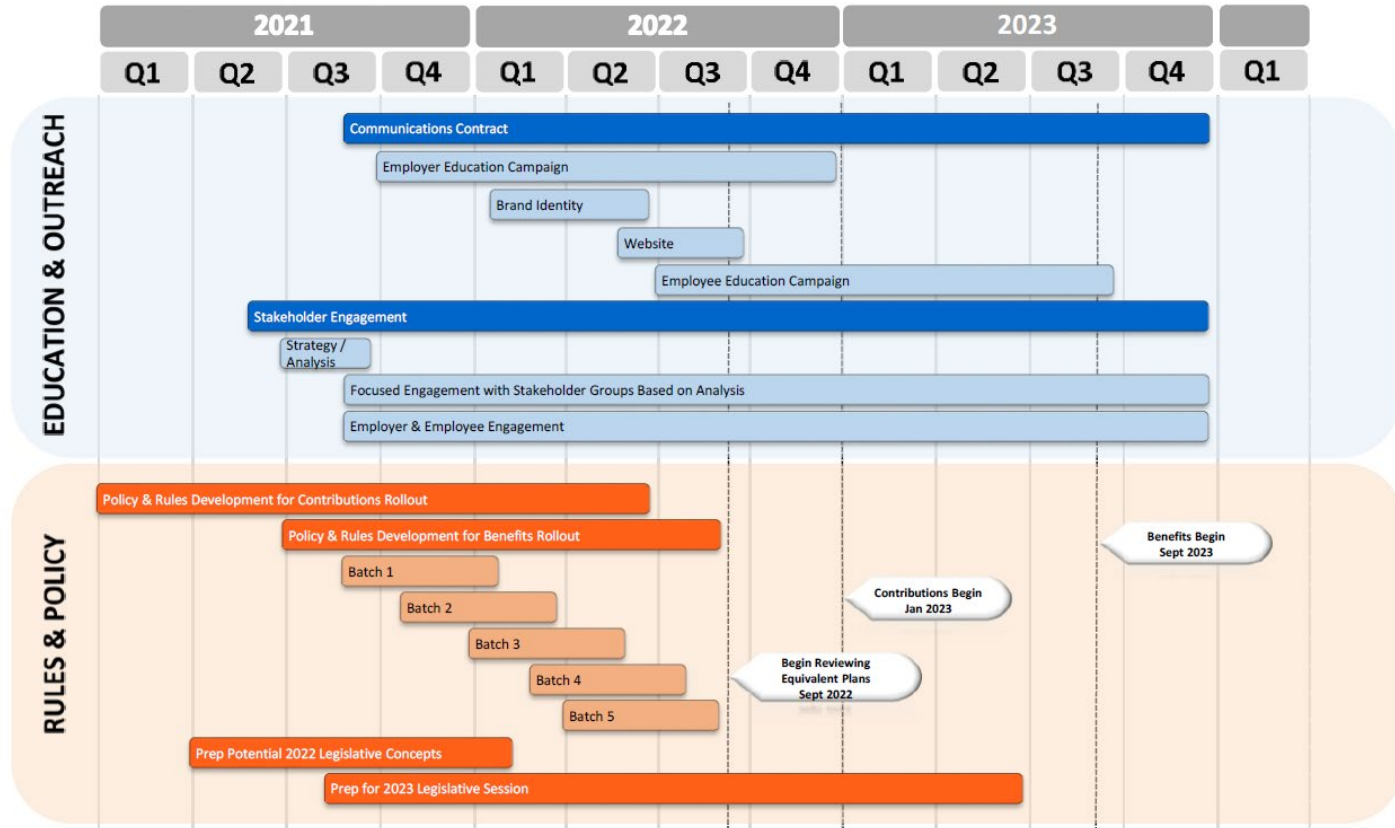
HB 2005 (2019) vs. HB 3398 Changes

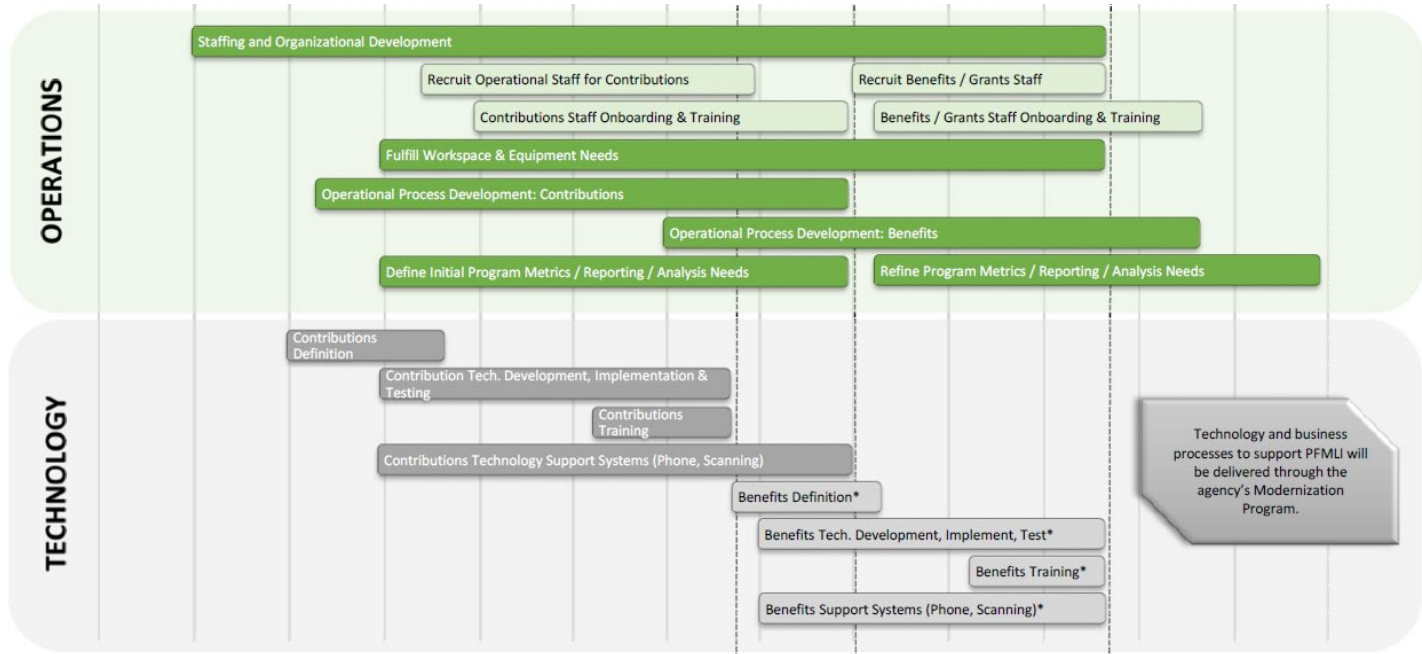
Under HB 2005, contributions were to begin January 1, 2022 and benefits to be paid starting Jan. 1, 2023. Additionally, both the employer assistance grants would begin to be paid and the general fund loan would be repaid on Jan. 1, 2023.



HB 3398 Implementation Timeline Changes

Oregon PFMLI Release Plan





*Estimation



About the Oregon Program

Covered Businesses

- Comprehensive coverage
- Federal government is not covered
- Tribal governments and self employed people can elect to be covered

Covered Workers

- Comprehensive coverage
- Federal workers are not covered
- Independent contractors are not required to be covered
- To receive benefits, must have earned \$1,000 in “base year”

Types of Leave

- Medical Leave - employee’s own serious health condition
- Family Leave
 - Bond with a new child during first year after birth, adoption, or foster placement
 - Care for family member with a serious health condition
 - “Family” is defined broadly
- Safe Leave - To deal with issues related to domestic violence, harassment, sexual assault, or stalking



About the Oregon Program

Benefits

- 12 weeks paid leave
- 2 more weeks paid leave for pregnancy, childbirth, and related conditions
- 4 more weeks unpaid leave for OFLA covered conditions
- Benefit amount is based on prior earnings
 - Full wage replacement for people with average earnings up to 65% of the state's average weekly wage
 - Minimum and maximum benefit amounts based on statewide average weekly wage
- Job protection
- Discrimination based on pursuing leave is prohibited
- Health care benefits continue while on leave

Contributions

- Start accruing January 2023
- Rate applies to the first \$132,900/year in wages
- Rate set annually by Director; cap of 1% of wages
- Contributions are split between employees (60%) and employers (40%)
- Small employers (fewer than 25 employees) do not have to pay the employer portion



About the Oregon Program

Equivalent Employer Plans

- Employers can provide their own plan that provides at least the same benefits
- Employers pay a fee of up to \$250 to the department to evaluate if their plan meets the standard; renewals or non-substantive changes pay \$150 fee (first three years)
- These employers, and their employees, do not pay contributions to the state plan
- Employers may withhold contributions from workers, but not more than workers would pay into the state plan
- Benefits are paid under the employer's plan
- Rulemaking needed for "cross over" situations

Small Business Grants

- Available to small employers who opt to pay their share of contributions
- Helps offset costs of hiring temporary replacement workers, and related costs, while covered workers are on leave
- Can cover costs related to up to 10 employees per year, up to \$3,000 per employee

Advisory Committee

- 9 members
- Chaired by Employment Department representative
 - 4 represent employee interests
 - 4 represent employer interests – at least one of those representing small employers
- Advise Director on PFMLI, including implementation, administration, and rulemaking



Communications

- Contracted with Brink Communication
- Engagement and Outreach Started
 - Educate Employers and Employees about the program
 - Identify potential stakeholders
 - Newsletter and list serve available
 - Invitation to engage in the rule making process



Frances e-services employer portal (test environment)

The screenshot shows the top navigation bar with the Oregon state logo, "Employer Portal", and a yellow banner for "Frances Rollout Testing". The main header features the "State of Oregon Employment Department" logo on the left and a login form on the right. The login form includes fields for "Email Address" and "Password", a "Log in" button, and links for "Forgot password?", "New to e-Services?", and "Sign Up". The background is a scenic image of a forest and a lake.

 Search our online services



Submissions

Search for previous submissions.

[Find a Submission](#)



Online Registration

Get started by registering your business or signing up for an online account.

[Register as a Self-Employed Individual](#)



Report Fraud

Notify the agency of identity theft or Unemployment Insurance fraud.

- [Report Identity Theft](#)
- [Report Unemployment Insurance Fraud](#)



Agency Updates

Take a look at news and updates from the agency.

- [Combined Payroll Tax Report Instructions](#)
- [View Agency Updates](#)



OED Modernization Partner Engagement

- External Stakeholder Engagement Planning:
 - 3 tier approach – beginning in January
 - Surveys
 - Focus Groups, including Functionality Demonstrations
 - Stakeholder Sandbox providing hands-on practice
 - Communications on this approach will begin in November 2021
 - Please contact us at:
employment.modernization@employ.oregon.gov



Rules in Four Batches

- Contributions and Reporting
- Equivalent Plans
- Benefits
- Appeals and Miscellaneous



What's next?

- Potential changes: Benefit Year
- Other statutory alignment
- Frances development
- Ongoing rulemaking
- Outreach and engagement
- On track, on time, customer-focused, equitable and inclusive



More information:

- PFMLI Program: www.oregon.gov/employ/PFMLI/Pages/default.aspx
- OED (including PFMLI) Rulemaking:
www.oregon.gov/employ/Agency/Pages/OED%20Administrative%20Rules.aspx
 - Email: OED_Rules@employ.oregon.gov
- Frances/Modernization:
<https://www.oregon.gov/employ/modernization/Pages/default.aspx>
- OED General: <https://www.oregon.gov/employ/Pages/default.aspx>



Questions???

