

Oregon Employment Department Advisory Council Quarterly Meeting (1st Quarter 2023)							
Date/time:	January 25, 2023   1 p.m. to 5 p.m.						
Location:	Zoom platform						
Attendees:	A – Absent P – Present						
P	Catie Theisen, Chair	P	Tom Cusack	P	Lindi Leahy	P	Bob Uhlenkott
A	Haley Alves	A	Laurie Westenber	A	Perla Brambila-Arechiga	P	Peter Sprengelmeyer
P	Kurtis Baker	P	Royce Williams	P	Rebecca Nance	P	Gail Krumenauer
P	Robert Camarillo	P	David Gerstenfeld	P	Anne Friend		
P	Marc Chrismer	P	David Genz	P	Samantha Kaan		

## MINUTES - DRAFT

	Topic	Minutes	Presenter
1.	Welcome, self-introductions of Advisory Council members & OED staff	Chairperson Catie Theisen called the first quarter meeting of the Oregon Employment Department Advisory Council (Council) to order at 1:02 p.m. Catie asked Council members, OED staff, and guests to introduce themselves.	Catie Theisen, Chair
2.	Meeting Minutes Approval November 18, 2022	Catie asked if there were any comments or discussion about the November 18, 2022, meeting minutes. No discussion or objections were had.  <b>Kurtis Baker moved and Royce Williams seconded the motion to approve the Nov. 18, 2022, minutes as written. Motion passed unanimously.</b>	Catie Theisen,
3.	Acting Director's Update	The 2023 Legislative Session has started, very busy with most interest in Paid Leave Oregon. The Governor's Request Budget has not yet been released and we are unsure whether there will be changes or not. OED is expected to be before the ways and means subcommittee in mid to late February.  Budget concerns are still a big challenge for the department. We are doing well performance-wise compared to other states and currently we are eighth in the nation for first payment timeliness for unemployment insurance (UI).  UI phone wait times are longer as staff has been reduced by more than 50%, since last year at this time, due to decreased federal funding.  Modernization work for workforce operations is starting to ramp up for procurement – this work will start in earnest after the UI Modernization “go live” in March of 2024. Stagegate approval, from the legislature and state Chief Information Officer's office, was given. Frances Online improvements continue to be made and we now have Spanish portal for employers.  Robert Camarillo commented his appreciation for the department, specifically the Acting Director and Paid Leave Division Director for a very productive and positive meeting with the Building Trades folks and their respective signatory contractors earlier this week. We will be scheduling	David Gerstenfeld, Acting Director

		<p>another presentation and meeting with even more of the building trades members.</p> <p>Rebecca let the Council know that there are currently two vacancies on the Council, one employer representative, and one employee representative. There is one application pending in Workday for the employer representative vacancy, and we hope to get an application for the employee representative soon.</p>	
4.	ODHS' Building Well-being Together	<p>Samantha Kaan and Peter Sprengelmeyer of the Oregon Department of Human Services (ODHS) presented the “Building Well-Being Together” initiative that is currently being championed by them.</p> <p>Data sharing across agencies is a big component of the “Building Well-Being Together” initiative. DHS is seeking Council support of this initiative with the goal of breaking down silos so citizens get the supportive services they need and no one falls through the cracks. They want to be focusing on serving the people not the programs, and sharing power with community.</p> <p>Currently there are a number of initiatives to bring data sets together. Each data set on their own has limits. Not all Oregonians served are included, particularly those overrepresented and underserved. The goal is to provide a data set that goes deeper. The goal is to connect people and families and how they actually live. The other thing they'd like to do is make this data pool available to all contributing agencies.</p> <p>It's important to understand where people are – we want to figure out where the best place is for initial intervention. Currently, we do not know where an individual is until they become eligible for and access services. The goal is to integrate services in a way to coordinate to meet individual and family needs.</p> <p>The anticipated outcome is to improve service equity, build trust; and support outcomes that citizens want for themselves.</p> <p>ODHS proposes that this data set would cross at least nine state agencies that will all have appropriate privacy, data security and access restrictions. Combined standards would allow for better sharing to better deliver services. Research Governance will be utilizing four governance committees.</p> <p>David Gerstenfeld shared context as to why Samantha and Peter wanted to share this initiative with the Council. Keeping data secure is extremely important, and that there is value to the public. We would need to make technical changes to some administrative rules – he noted the Council is the Rulemaking Advisory Council (RAC) for OED (other than for Paid Leave Oregon rules). David advised they would be reviewing any rules about this initiative. We would like feedback to see if Council is supportive before we start drafting rules that they may or may not like or support.</p>	Samantha Kaan and Peter Sprengelmeyer, ODHS

Tom Cusack asked whether Department of Revenue (DOR) would participate. He talked about how there are many tax credits that impact families, and it would be interesting to understand the impact. Peter responded by saying they will reach out to DOR as he believes it makes complete sense to include them.

Kurtis Barker is a proponent of data-sharing and emphasized that it does come with risk and security concerns. What would this look like to the person who is receiving services? Is opting out a possibility or would services be contingent on individuals sharing their data? David Gerstenfeld commented that we only share aggregate data in most cases – we have federal authority to share individual information across agencies for specific purposes. Governance would need to address concerns such as this, but this proposal would include sharing individual data.

The more personal identifiable information (PII) made available, the more services may be appropriately rendered. Governance will be the critical piece. It would be a new reality we would have to navigate together.

Kurtis asked if there is another state that has implemented anything similar to this approach. He also commented that the security piece is going to be a hard sell. Peter responded that we will have to have extremely robust security in place. Peter said this will be similar to how some other states are cooperating and sharing data – each state has different organizational structures. Massachusetts is a state that robustly shares data between agencies.

Catie commented that she is excited to hear about this project and mentioned the good ideas about data sharing. Catie reinforced Tom’s suggestion about including DOR in this project. She also asked about associated timelines. Samantha indicated that they would need to go slowly and figure out where agencies are – much of it depends on the rule change process, and how soon agencies can sign on to the project.

David commented that if the Council is generally supportive, and consensus is supportive in moving forward, we can propose a rule for the Council (as the RAC) to consider. We must be sensitive to the Modernization and Paid Leave Oregon projects at the department; we can’t afford to derail either of these projects.

Catie talked about the importance of being intentional about privacy and security concerns; however, is excited about the possibility of this approach.

Gail Krumenauer commented that she is excited about the possibility these opportunities would present.

5.	Economic Update	<p>Gail talked about Employment, Economic Indicators, and Recession Planning.</p> <p>Oregon has rebounded fairly quickly after the pandemic recession. Several employment sectors have led the way in recovery including construction, manufacturing, trade, transportation, utilities; financial activities; professional and business services; and private education services. There has been sharp growth in architectural and design services.</p> <p>Leisure and hospitality has added the most jobs, but this sector is still about 8,000 jobs short since the pandemic recession.</p> <p>Local governments have struggled to regain jobs. Retail and other services still haven't recovered. Retail had recovered and is now declining again.</p> <p>Robert asked if under construction growth, what type of positions does this data cover. Apprenticeship? Gail explained that construction job type is not captured, however, they can look at certain sectors – residential and specialty construction have surged. Non-residential construction has not yet recovered.</p> <p>Growing concerns about another Oregon and US recession. The Oregon Office of Economic Analysis is forecasting a minor recession in Oregon. Most people who are unemployed currently in Oregon are not from high profile events or layoffs.</p> <p>Oregon does its own job vacancy survey – only a handful of other states do this. We are still in a relatively low unemployment rate, and we still have a very high number of job openings. It is tough for employers to find enough workers. This is not consistent with a recession.</p> <p>Gross Domestic Product and US Treasury rates can also be indicators of recession.</p> <p>Tom asked when the next economic forecast is coming out. Gail reported that the next forecasts are released in February and then May.</p> <p>Tom also asked if there are any anticipated changes in construction. Semi-conductors?</p> <p>The infrastructure bill, in theory, will provide some level of construction activities as they are funded.</p> <p>The CHIPS act for semiconductor industry – Intel specifically – is planning on opening up in Ohio. It is unclear whether they will invest more elsewhere or invest here in Oregon. This is currently an open question.</p>	Gail Krumenauer, State Employment Economist
7.	Legislative Session Update	<p>David Genz gave a brief update about the many changes going on in the legislature: new members, process, and physical building layout.</p> <p>Out of the 370 bills the agency is currently tracking, 15 are being tracked at a high priority.</p>	David Genz, Legislative Affairs

	<p>David Genz reviewed Legislative Measures of note with Council. He also mentioned that we are sending out district-specific packets to all legislators.</p> <p>Tom asked about the legislative packets, and it was indicated that we will email a sample packet to Council members.</p>	
Rules SB 172	<p>Lindsy Leahy presented on the rules for Senate Bill (SB) 172, this law gave more discretion to the department to waive overpayments depending on the reason for the overpayment. She also spoke about the public rulemaking process for the three rules pertaining to SB 172.</p> <p>There are legacy system challenges. We are taking the feedback seriously, and add it to the feedback already collected, so we may implement more if the modernized system project will not be put in jeopardy by incorporating them. By implementing changes now the modernization project would be in jeopardy of staying within the timelines and tasks for finishing.</p> <p>Lindsy noted that the updated waiver form is complete. She reviewed the changes to the waiver form and requirements.</p> <p>Catie commented that it was a helpful information. David Gerstenfeld commented that the jump in numbers on waivers being granted from pre-pandemic and then a big jump occurred as the pandemic continued was also partially due to the changes OED has already made due to SB 172 to waive more overpayments. The goal was to make it as easy as possible, and use an existing standard.</p> <p>Oregon Business and Industry and the AFL-CIO submitted a letter in response to the proposed rules. Catie asked about the waiver application – when did they changes go into effect? Lindsy reported September 2022 and others were posted this month. Catie mentioned she was thankful for that change. Catie acknowledged that OED was between a rock and a hard place, said the context is very helpful.</p> <p>Catie – in the joint letter, they asked that another standard be considered as opposed to either or...do you have a sense of the timeline as to when the conversations can start. LL probably Summer and Fall prior to go live with March 2-24 UI go live. Gers – work is underway but it is not built yet, and we can't promise it will be ready right away. There were also several different alternate standards suggested by different groups, so UI wants more robust public engagement to land on the best new standard.</p> <p>Lindsy indicated that they are monitoring closely and will revisit feedback.</p>	Lindsy Leahy, UI Division Director
Public Comment	No public members were in attendance, so no public comment was provided.	Public
Council Round Table Updates	Catie asked if any Council members had anything to share during roundtable. No members had anything further to comment on.	Council Members

Adjourn	The meeting adjourned at 3:30 p.m.	Catie Theisen
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## ACTION ITEMS

Action	Assigned	Date Due	Completed
Draft meeting minutes to council	Rebecca Nance	February 3	
Sample Legislative Packet to council members	Rebecca Nance	February 3	

## FUTURE MEETING TOPICS

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

Minutes submitted by Rebecca Nance 1.26.2023