

Oregon Employment Department Advisory Council Quarterly Meeting (1st Quarter)							
APPROVED Minutes							
Date/time:		February 4, 2022 9 a.m. to 12 p.m.					
Location:		Zoom platform					
Attendees:		P = Present A =Absent					
P	Paloma Sparks	P	Tom Cusack	P	David Gerstenfeld	P	David Genz
P	Haley Alves	P	Kenechi Onyeagusi	P	Renee Royston	P	Jim Pfarrer
P	Kurtis Baker	P	Catie Theisen	P	Rebecca Nance	P	Lindsi Leahy
P	Robert Camarillo	P	Laurie Westenberg	P	Anne Friend	P	Mike Smith
P	Marc Chrismer	P	Royce Williams	P	Bob Uhlenkott	P	Jeannine Beatrice
P	Rebeka Gipson-King	P	Maggie Gleason				

MINUTES - APPROVED

	Topic	Minutes	Presenter
1.	Welcome & self-introductions of Council members & staff	Paloma called the meeting to order at 9:04 a.m. OED Advisory Council (Council) members introduced themselves and OED staff introduced themselves.	Paloma Sparks
2.	Review and approve November minutes	The Council asked that this agenda item be moved to the next quarterly meeting for review/approval.	Council Members
3.	Unemployment Insurance program Update	<p>Lindsi provided an update for the UI division, processing claims, answering calls and paying benefits faster, summarized HB 3389 (2021) tax break bill, SB 172 (2021) overpayment bill July 30 cancelled all 5 year or older accounts, reaching out to claimants to educate. Lindsi also gave the Council an update on the current rulemaking efforts that the UI division is working on.</p> <p>Lindsi presented the Council with a request for approval to change the policy regarding failure to provide information concerning claims and claimant benefits. Lindsi would like to go back to pre-pandemic policy as of February 13. This means: when additional, relevant, information is needed to make a decision on eligibility, information is requested with a deadline to response, usually 5 days and reasonable deadline extensions can be requested and denials for failing to provide information will not be “ended” instead of “reversed”. The reason for the change: difficulty in contacting the department has been resolved and Federal programs have ended. Is the Council okay with this change?</p>	Lindsi Leahy, Unemployment Insurance Division Director

		<p>Catie asked if this been communicated, and do claimants know this is happening? She indicated she would like to see more communication first.</p> <p>Follow up: Lindsi to double check with staff about targeted outreach. No decision or approval by the Council was made.</p> <p>Fraud report included in the meeting materials, Lindsi gave a high-level summary of our investigation efforts.</p> <p>Paloma indicated she had three fraudulent claims filed in her name., Believes the Modernized UI system will help with fraud control</p> <p>Lindsi said since 2021 there has been increased interest in fraud, Oregon has not seen a large increase because people are sending in tips.</p> <p>Tom Cusack asked 1099Gs how many for 2021? He asked that or future meetings have materials in advance to digest before the meeting.</p> <p>Lindsi said there were around 300K 1099Gs were sent out but will get the specific information for Tom.</p> <p>Stats from Lindsi re: 1099-G's:</p> <ul style="list-style-type: none"> • printed 384,913 copies of 1099G for tax year 2021 (mailed in 2022) • printed 581,638 copies of 1099G for tax year 2020 (mailed in 2021) 	
4.	Rulemaking Update	<p>Lindsi gave the UI rulemaking update. Anne gave an update on PFMLI rulemaking.</p> <ul style="list-style-type: none"> • The batch 1 rules regarding contributions, outreach, small employers and assistance grants, and self-employed have gone through the entire process and were effective this last Monday, January 31. <ul style="list-style-type: none"> ○ Public Hearings were in November and December and ○ The comment period ended at 5 pm on December 20 • The batch 2 rules regarding equivalent plans and a wage definition rule were filed with SOS last week and the notice of proposed rulemaking was published in the Oregon Bulletin on February 1 <ul style="list-style-type: none"> ○ The comment period is open until 5 pm on March 1 	Anne Friend, OED Rules Coordinator

	<ul style="list-style-type: none"> ○ We have two public hearings scheduled for this batch <ul style="list-style-type: none"> • February 23rd from 3-5 and • February 28 from 9-11 am • The batch 3 rules are being reviewed now and I anticipate seeing those in the next week or so. <ul style="list-style-type: none"> ○ The targeted filing date with SOS is May 1 • Batch 4 has a targeted filing date with SOS on June 1 • Batch 5 will be the catchall batch of administrative rules and will follow the batch 4 rules. • Currently, we are on target to meet our statutory deadlines for rulemaking. <p>PFMLI and UI are working together to develop rules regarding the combined rules regarding contributions. There is not yet a timeline for those rules yet but wanted the Council to be aware.</p> <p>Anne asked the Council to confirm they are receiving two different notices for the rulemaking. The first email comes for the OED Rules inbox and is for the pre-formal process review; the second email comes from the Gov Delivery platform when the Interested Parties notices are sent out.</p> <p>No members of the Council indicated they were not receiving both notices.</p>	
<p>5. Modernization Project Overview</p>	<p>Renee gave a presentation about Modernization, and Maggie with FAST (the Modernization contractor) gave a demo. The feasibility study was a year-long, determined the project needed to be more than one major project; this is an eight year plan. Renee gave an overview of where we have been; where we are now; and, where we are going from here. Worked with DAS and DOJ to keep the procurement process intact and won't have to start the process over before the round 4, the system scope is the UI tax/benefits and PFMLI contributions/benefits</p> <p>Incorporating PFMLI into the scope of the Modernization project, will have a combined payroll reporting system and forms, will be giving employers instruction, tools and training to be able to complete the requirements like they need to be successful.</p> <p>Renee broke down the costs, presented a chart that outlines who is working where and doing what.</p> <p>FRANCES: employee named, over 100 suggested names and over 400 employees voted, FRANCES PERKINS is who the</p>	<p>Renee Royston, Modernization Director</p>

		<p>new system, Renee gave a brief history on Frances, this has been a considerable team effort across agencies and within the agency, there have been lots of meetings to make sure everyone is in alignment and not being left behind.</p> <p>Maggie Gleason gave an overview of Frances and where we are in the process of this project. At the end of the project, there will be fully integrated tax and benefits, the user interface accessibility to be used on any device and meets ADA requirements, real time information, works with any internet browser and responds to responsive use and adapts to the device you are using,.</p> <p>Maggie gave a test account presentation and how Frances will work for both customers and employers.</p> <p>Kenechi congratulated the Modernization program on getting this done and commented positively on the tool for employers!</p> <p>Catie commented that she appreciates the level of detail and good databases are essential, the spider web diagram was helpful. Will this work? User experience wants to hear more about what that is going to look like and would like to see the back end application and what that is going to look like. Want it to work for workers as well as employers.</p>	
6.	Legislative Update re: Short Session	<p>David Genz introduced himself and gave an update on the short session and what he and Rebecca Nance have been working on. New legislators, currently have 6 high priority bills that the agency is tracking. Summarized at a high level from the agency point of view, happy to provide more clarification if needed. David reviewed each of the bills and the status of each.</p> <p>SB1515 passed out of committee with a due pass recommendation. This defines the PFMLI benefit year, and will allow for better program administration.</p> <p>SB1545/HB4104 workforce bills, taps into the federal ARPA funds, funding would be provided through HECC via grants. This does not have direct impact to us; we can partner with HECC and provide access to customers.</p> <p>HB 4001 – essential worker pay bill, as introduced is a study and isn't more detailed than that, the concept was to provide payment to essential workers that haven't otherwise received the essential worker pay, the original bill will not pass in its original form, instead we understand the intent is to provide</p>	David Genz, Senior Legislative Analyst

		<p>payments or tax credits to low income Oregonians who were front line workers during the pandemic.</p> <p>HB 4002, tax credit program to employers who provide overtime pay the agriculture workers, in the introduced bill the OED is in charge of this and would work with DOR to provide the payments, conversations have led us to believe that the bill language would be changing, but at this time do not have the expected new language.</p> <p>SB1514, placeholder bill and will be amended per Sen. Taylor, will continue to monitor it.</p> <p>SB1560, impacts all state agencies, OED in our statutes have the reference the terms “alien” to be changed to “non-citizen”, may need to do rulemaking to change language to reflect the law language.</p> <p>David invited the Council members to reach out with questions.</p>	
7.	Research Update	<p>Presented the recent data that the Research division has been watching, went over data that his team has been watching, he went over trends that are emerging with the economy.</p> <p>Bob asked the Council to let him know if they would like to see other things in these reports.</p>	Bob Uhlenkott, Research Division Director
8.	Agency Update from Acting Director	<p>Exciting that PFMLI is being folded into Frances, have decided to create a division within OED combining both PFMLI and UI contributions in one division, this should help customers have a better experience.</p> <p>PFMLI is going well, hired more of the leadership team, and is on track and going well. We are seeing the workforce impacted by the Omicron variant, keeping our staff safe is a priority.</p> <p>Lots going on all while improving our service to the public, compared to other states, we are doing quite well. Continuous improvement is a priority for the department, working to balance everything, keeping an eye on funding levels– at this snapshot in time we do not anticipate layoffs, keeping staff on to improve customer service.</p> <p>Tom commented that he thought the Secretary of State (SOS) was going to do a UI Audit - has it started? What does the timetable look like? When will it be completed?</p>	Acting Director David Gerstenfeld

		David reported that April through September is the general window for the audit. The SOS have done some preliminary work, it will be several months before we expect any outcome information.	
9.	Workforce Operations Update	<p>Many Workforce Operations staff switched to UI work during the pandemic to help get claims going then switched back to WorkSource office work. WorkSource doors opened again in 2021 – needed to make sure we implemented robust safety protocols, staff should be commended for their ability to switch back and forth between programs.</p> <p>Partnering with LinkedIn, have LinkedIn followers and through them we have been able to provide webinars and outreach to employers through the LinkedIn partnership. We started bringing people in to the office for job fairs and have switched back to virtual; we have done drive through job fairs during the pandemic. The pandemic has helped change the way we provide services, and we have gotten creative in how we deliver services.</p> <p>Grow Google partnership - we are running a pilot through the National Association of State Workforce Agencies for do training for different certifications through Google. There are currently 137 people going through the various certifications; in order to become certified, participants must complete four sections of the training. Other states have been reaching out inquiring about how we are doing this and how it works for us and individuals enrolled.</p> <p>We have been offering virtual workshops around the state for people to access no matter where the customer is physically located. Trying to find a way to provide in person or virtual depending on the preferences, looking to partner with the local library for people to have computer/internet access.</p> <p>Jim gave an overview of the scheduling that is available.</p>	Jim Pfarrer, Workforce Operations Director
10.	Budget Community Engagement Plan	<p>Mike gave an overview of the community engagement plan and would like feedback from the Council and other stakeholders. Looking forward to future engagements, have a list of community partners, please tell us who we are missing and who we need to reach out, are there better ways to engage.</p> <p>Mike would appreciate any feedback that the Council has.</p> <p>David Gerstenfeld thanked those who attended the first meeting.</p>	Mike Smith, OED Chief Financial Officer

		Request: Paloma asked if there could be outreach to the Oregon Business Council – not legislative but could be a good resource for information.	
11. Bylaw Review		<p>Rebecca went over the proposed bylaw changes and reasons for the updates are outlined below:</p> <ol style="list-style-type: none"> 1. To add a public member position, and move an employee representative position to a more appropriate public member position; 2. To update the name of the former Oregon Workforce Investment Board (OWIB) to the correct Workforce Talent Development Board (WTDB); 3. To update the difficulty of Council recruitment and the time commitment of serving on two entities (e.g. WTDB and the OED Advisory Council); and, 4. Adding “workforce” programs to more accurately reflect the responsibility of the Advisory Council. <p>Laurie Moved to approve the proposed changes to the bylaws as presented by Rebecca Nance. Kenechi Seconded the motion. Motion passed unanimously.</p> <p>Other comments: Paloma mentioned that the board interest form now asks if the applicant has ever filed for bankruptcy, and does not think that someone should not have to list whether they have filed bankruptcy. David Gerstenfeld indicated that we are not responsible for the form used, but he will definitely pass on Paloma’s concerns.</p>	Rebecca Nance, Senior Legislative Analyst
12. Public Comment		No public members were in attendance of this meeting.	Public members
13. Adjourn		The quarterly meeting adjourned at 11:36 AM	

ACTION ITEMS

Action	Assigned	Date Due	Completed
Send presentation materials 2-3 days in advance of the meeting	Rebecca	Next Qtrly meeting	
Send minutes after meeting for review and then again with meeting materials for approval during quarterly meeting	Rebecca	Next Qtrly Meeting	
Follow up: Lindsy to double check with staff about targeted outreach.	Lindsy		

FUTURE MEETING TOPICS

Action	Assigned	Meeting Date	Completed
Update on Modernization	Renee	TBD/alternate with PFMLI Update	
Update on Paid Family and Medical Leave Insurance Program	Karen	TBD/alternate with Modernization Update	