

PFML Workgroups - 20200311		2020										2021										2022
		May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January
Workgroup Name:																						
Equivalent Plans <i>(Note: some rules by 9-1-21)</i>	Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective									
Contributions	Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective									
Rulemaking <i>(Timeline is for any separate rules; otherwise, works according to all other workgroups' timelines)</i>	Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective									
Small Employers <i>(including job protection and grants)</i>		Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective								
Tribal Governments			Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective							
Self-Employed / Independent Contractors			Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective							
Outreach (and Barriers to Access) <i>(Note: Some rules by 9-1-21)</i>			Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective							
Benefits <i>(Note: "benefit year period" rules by 9-1-21)</i>					Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective						
Benefits (Balance - Eligibility, Computation, Delivery, etc.)				Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Meetings	Listening Session(s)	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective				
Appeals				Workgroup Kickoff	Meetings	Meetings	Listening Session(s)	Meetings	Post Rule Draft(s)	Stakeholder meeting(s); Depending upon amount of feedback and complexity of content, post additional drafts			File proposed rules (Oregon Bulletin)	Public Hearing	File rules with SoS	Rules Effective						

Notes:
 Mirrors Washington process for extensive early stakeholder engagement: listening sessions, stakeholder meetings, rule drafts posted on line (multiple drafts, if complex or high volume of input)
 Listening sessions and stakeholder meetings could be held in diverse geographic locations throughout the state, and could include conference call options
 PFML staff can coordinate listening sessions and stakeholder meetings, but workgroup and Advisory Committee members are welcome and encouraged to attend
 Formal public comment period and public hearings can include conference call options

Proposed PFML Workgroups

DRAFT 03-11-2020

Workgroup: Purpose/Topics (including, but not limited to examples listed)	Timeframe	Suggested Participants/Expertise
<p>PFML Advisory Committee Serve as Rules Advisory Committee: Approve rule policies and drafts to proceed to formal rulemaking process, as recommended by topical and rulemaking workgroups. Review/advise on fiscal impact to small businesses (per Administrative Procedures Act-APA). Recommend administrative rules to Director.</p>	In place, Ongoing	PFML Advisory Committee members
<p>Equivalent Plans Workgroup Make recommendations relating to: Processes, policies, forms, timelines and rules relating to equivalent plans (by 9/1/2021). Rules for resolving disputes between employers and employees under equivalent plans. Department policies relating to renewing plans, withdrawing plans, terminating plans, timelines for renewals, application fees, etc. Preventing the payment of benefits in excess of 100% of average weekly wages if multiple employers; prorating between overlapping plans, etc. Which records employers need to maintain.</p>	May 2020 - April 2021	Employers, Employees Insurance industry offering PFML plans
<p>Contributions/Employer Reporting and Remitting Payments Make recommendations relating to: Policies, forms, timelines and rules relating to employer reporting/remitting payments. Filing quarterly/annual reports and remitting payments (DOR rules). Successor in interest, liable entity, and collection issues. Requiring posted bonds or securities and interest and penalty provisions.</p>	June 2020 - June 2021	Employers, Employees, Payroll service providers, Human Resources professionals, Tax Practitioners, SPT members (DOR, DAS)
<p>Rulemaking Workgroup Draft administrative rule language to reflect policies brought forth by workgroups. Revise rule drafts based on stakeholder/workgroup participants' input. Prepare preliminary administrative rule Statements of Need and Fiscal Impact. Provide revised rules to PFML Advisory Committee. Collaborate, as needed, with Employment Rules Coordinator to conduct formal rulemaking rulemaking process (APA). Make recommendations relating to: "Definition" rules such that terms are used consistently across all PFML rules. Miscellaneous issues.</p>	June 2020 - January 2022	Employment Rules Coordinator, Andrea Paluso and Jenny Dresler (co-sponsors), Amanda Dalton, Marc Chrismer, <i>(need more employee representation)</i>
<p>Small Employers (including job protection and grants) Make recommendations relating to: Processes, policies, forms, timelines, rules relating to small employers, grants, and job protection provisions. Rules that clarify job protection (small vs larger employers). Rules for determining whether an employer has fewer than 25 employees. Grant program processes (how to apply, information required to be submitted, grant repayment situations, etc.)</p>	July 2020 - July 2021	Small Business Admin or Small Business Assistance Center representative, Small Employers and employees of small businesses, grant expertise

<p><i>Tribal Governments Workgroup</i> Make recommendations relating to:</p> <ul style="list-style-type: none"> Process for tribal governments to make election to opt in. Rules about benefit amounts for tribal employees. Rules about what information must be supplied by tribes/tribal employees. Rules for contribution rates and apportionment between tribal governments and employees. Termination process. Policies around collection procedures for contributions and erroneous payments of benefits. Timelines for tribal entities. 	<p>August 2020 - August 2021</p>	<p>Tribal government representatives, Tribal enrolled members, Tribal employers, Commission on Indian Services representative</p>
<p><i>Self-Employed / Contractors (including home care, child care)</i> Make recommendations relating to:</p> <ul style="list-style-type: none"> Policies, forms, timelines and rules relating to self-employed and independent contractors. Rules for benefit amounts for self-employed /independent contractors. Rules specifying how a self-employed/contractor makes an election and information that must be supplied. <p>Policies for renewing, withdrawing, and terminating elections; collection procedures for contributions and erroneous payments of benefits. Situations where a self-employed/contractor is also an employee for another employer.</p>	<p>August 2020 - August 2021</p>	<p>Self-employed/ contractors, DHS Employment-Related Day Care rep, Child care workers and employers, Home care workers and employers, DHS, Seniors and People with Disabilities rep</p>
<p><i>Outreach (and Barriers to Access)</i> Make recommendations relating to:</p> <ul style="list-style-type: none"> <u>Establishing</u> an outreach plan for the program to receive input from, and disseminate information to, employers and eligible employees (rule due by 9-1-2021). Reaching diverse populations (languages, rural/urban, disabled populations, in state and out of state employers and employees, etc.) Collaborating with Communications resource to identify and recommend forums/vehicles to disseminate information about PFMLI. 	<p>August 2020 - August 2021</p>	<p>Employment's Communications staff, BOLI, Payroll Service Industry, Equity and Inclusion expertise</p>
<p><i>Benefits (Eligibility, Application, Computation, Delivery)</i> Make recommendations relating to:</p> <ul style="list-style-type: none"> Processes, policies, timelines, rules relating to eligibility, application for, computation, and delivery of PFMLI benefits. Defining criteria (base year, alternative year) rule due by 9-1-2021. Filing procedures and information to be provided. Employee notice to employer of plans to take leave. <p>Clarifying daily and/or weekly benefit increments, intermittent leave, interaction with OFLA/FMLA and other statutory leave programs. Collection of overpayments, interest and penalties.</p>	<p>September 2020 - December 2021</p>	<p>Employers, Employees, State Partners</p>
<p><i>Appeals</i> Make recommendations relating to appeals processes, timelines, and rules for:</p> <ul style="list-style-type: none"> Equivalent Plan decisions (denials, terminations). Benefit eligibility and benefit amounts; overpayments. Penalties assessed against employers and employees. Periods of disqualification from benefits. Employer contribution assessments. Small-employer grant decisions. 	<p>September 2020 - September 2021</p>	<p>Dispute resolution experience</p>