

Paid Leave Oregon [passed into law](#) in 2019 and provides employees easy access to paid leave benefits for events that impact their families, health, and safety.

CONTRIBUTIONS

1. Who administers Paid Leave Oregon?

Paid Leave Oregon is administered by the Oregon Employment Department.

2. When do contributions begin?

Contributions began with your Jan. 3, 2023, paycheck. Learn more about contributions to Paid Leave Oregon on their website at <https://paidleave.oregon.gov/>

3. If contributions began in January 2023, why were they deducted from my December 2022 (paid January 2023) wages?

Paid Leave Oregon contributions are made based on the date of pay (January 2023), not when the hours being paid were worked (December 2022).

4. What is the contribution rate?

The contribution rate for 2024 is 1% of gross wages up to \$132,900. Learn more about contributions to Paid Leave Oregon on their website at <https://paidleave.oregon.gov/employees/overview.html>

5. How much money is being deducted from my paycheck for Paid Leave Oregon?

Employees pay 60% of the 1% total contribution rate. For example, if your paycheck totals \$1,000, you would pay \$6 for your portion of the contribution rate for that month's paycheck.

6. What are contributions based on?

Contributions are based on your gross taxable income (before any pre-tax deductions are made).

7. Are there tax implications when receiving Paid Leave Oregon benefits?

There may be. Please refer to this [Taxability Fact Sheet](#) from the Paid Leave Oregon website.

8. I am a seasonal employee; do I make contributions to Paid Leave Oregon?

Yes, all employees will contribute to Paid Leave Oregon regardless of their appointment type (Limited Duration, Permanent, Temporary, Seasonal, etc.)

9. Will contributions be deducted even if I don't receive a full month's paycheck?

Yes, contributions are deducted on any wages earned.

10. Can employees opt-out of contributing to Paid Leave Oregon?

No, employees cannot opt-out of contributing to Paid Leave Oregon.

11. Is Paid Leave Oregon a program only for State of Oregon employees?

No, Paid Leave Oregon applies to all employers who have employees working in Oregon. *There are exceptions for those who are self-employed or who work for tribal or federal governments.

12. I work remotely full-time outside of Oregon; will I contribute to Paid Leave Oregon?

No, employees who work full-time outside of Oregon do not contribute to Paid Leave Oregon and are not eligible to receive benefits.

13. I routinely work remotely two or three days a week outside of Oregon; will I contribute to Paid Leave Oregon?

Yes, employees who have a set schedule (routine) for days worked both within and outside of Oregon will contribute to Paid Leave Oregon on all wages earned in and outside of Oregon. Learn more about remote work and out-of-state work on the [Paid Leave Place of Performance Fact Sheet](#).

14. I work mainly from outside of Oregon and occasionally work in Oregon; will I contribute to Paid Leave Oregon?

No, employees whose work within Oregon is intermittent and irregular (temporary, transitory, or isolated in nature) will not contribute to Paid Leave Oregon on any of their wages. Learn more about remote work and out-of-state work on the [Paid Leave Place of Performance Fact Sheet](#).

15. I work mainly within Oregon but occasionally work in Idaho; will I contribute to Paid Leave Oregon?

Yes, employees whose work outside of Oregon is intermittent and irregular (temporary, transitory, or isolated in nature), will contribute to Paid Leave Oregon on all wages earned in and outside of Oregon. Learn more about remote work and out-of-state work on the [Paid Leave Place of Performance Fact Sheet](#).

16. How will Paid Leave Oregon know that I work remotely full time and am not eligible for contributions?

Contributions will be deducted in compliance with Paid Leave Oregon rules and remote work agreements housed within Workday and Workday time tracking. See Workday [Knowledge Article](#) to submit or update your Remote Work Agreement.

17. Who do I contact if I believe contributions are being incorrectly withheld from my paycheck?

We recommend making sure your remote work agreement is accurate and up to date. If you feel it is, please contact your Human Resources Department for further assistance.

18. If I leave state service, are my contributions returned to me?

No, contributions go into the trust fund that all employees working in Oregon may benefit from.

AGENCY NOTIFICATION**19. Who do I notify within my agency that I have a need for leave?**

Employees may notify their manager or HR Department that they have a need for leave.

- 20. Why do I have to notify my manager that I'm taking a sick day if it will be covered by Paid Leave Oregon?**
If you are eligible for job protections, they need to know. Also, if you are using Paid Leave Oregon you can use Leave Without Pay before exhausting all accrued leave. If you were not using Paid Leave Oregon, you would need to use your accrued leave as outlined in your collective bargaining agreement or policy.
- 21. When must I notify my agency that I will be taking leave?**
Employees must provide at least 30 calendar days' notice to the agency before commencing family, medical or safe leave under Paid Leave Oregon, when foreseeable.
If the leave is not foreseeable, an employee must give verbal notice within 24 hours of the beginning of the leave and written notice within three days of the beginning of the leave.
- 22. What happens if I don't notify my agency within the established time frames?**
Failure to notify the agency timely may result in a reduced Paid Leave Oregon benefit payment.
- 23. Do I still have to follow my call-in procedures while taking Paid Leave Oregon?**
Employees are expected to follow agency call-in procedures.
- 24. Do I need to notify my agency if my need for Paid Leave Oregon changes after I have begun receiving benefits?**
Yes, you must notify your agency of any changes in Paid Leave Oregon status.

BENEFITS

- 25. Who decides if I'm eligible for benefits?**
Employees apply directly to Paid Leave Oregon - Paid Leave Oregon determines who qualifies for benefits and the amount of benefits they receive. Learn more about the program at <https://paidleave.oregon.gov/employees/overview.html>
- 26. Do I have to exhaust my accrued leave prior to receiving Paid Leave Oregon benefits?**
No, you do not have to exhaust your accrued leave prior to receiving Paid Leave Oregon benefits.
- 27. Am I required to apply for Paid Leave Oregon when taking medical, family, or safe leave?**
No, you are not required to apply for Paid Leave Oregon.
- 28. How will my agency know I'm approved to receive benefits?**
Paid Leave Oregon will notify the agency when an application has been received and again, when an application is approved.
- 29. Will Paid Leave Oregon benefits be considered PERS subject wages?**
No, Paid Leave Oregon benefits are not PERS subject wages.

30. Will Paid Leave Oregon benefits count as PERS time of service?

No, Paid Leave Oregon benefits do not count towards PERS time of service.

31. If I use leave without pay while receiving Paid Leave Oregon benefits, will I still receive that time as PERS time of service?

Possibly. If the greater portion of the month (11 days or more) is leave without pay, the month will not count towards PERS time of service.

32. Does Paid Leave Oregon replace FMLA and OFLA?

No, Paid Leave Oregon does not replace FMLA and OFLA. Paid Leave Oregon runs concurrently with FMLA and OFLA, when applicable.

33. *If I'm approved for Paid Leave Oregon benefits, will I automatically be approved for FMLA/OFLA by my agency?

If you are eligible for FMLA and OFLA and the condition qualifies you will be automatically designated for FMLA and/or OFLA based on application for or approval of Paid Leave Oregon for *a continuous leave*. If your leave is *intermittent* you will need to follow your agency's normal process for applying for protected leave.

34. May I submit the same documentation to the agency for FMLA/OFLA that I submitted to Paid Leave Oregon supporting the need for leave?

Yes, you may submit the same documentation. If more information is needed, your agency will notify you.

35. Will the agency continue to pay for my insurance benefits while I receive Paid Leave Oregon benefits?

For employees who have 90 days or more of continuous state employment, the agency will continue to maintain an employee's core insurances – Health, Dental and Basic Life Insurance. Employees are responsible for paying the employee portion of the insurance premiums.

36. How will employees pay their portion of insurance benefits (medical, dental, vision) while on leave?

Employees will follow their agency's normal procedure for paying for benefits while on leave.

37. Will taking Paid Leave Oregon affect my seniority, salary increases and recognized service date?

No, the receipt of Paid Leave Oregon does not affect an employee's seniority, eligibility for salary increases or the employee's recognized service date.

38. Will I accrue time off when receiving Paid Leave Oregon benefits?

Paid Leave Oregon benefits do not count as time worked towards your accruals.

39. Will I receive holiday pay while receiving Paid Leave Oregon benefits?

You will receive holiday pay as outlined in your collective bargaining agreement or statewide policy while receiving Paid Leave Oregon.

40. How does receiving Paid Leave Oregon benefits impact my ability to request donated hardship leave?

Under policy employees are not eligible for donated leave while receiving Paid Leave Oregon benefits. Please be sure to confirm under your specific CBA.

41. If a seasonal employee applied and is approved for Paid Leave Oregon benefits while in season, and the season ends while on receiving benefits do their Paid Leave Oregon benefits end?

Paid Leave Oregon benefits will end when the seasonal employment ends.

42. What if I work on a day that I've been approved to use Paid Leave Oregon?

If an employee works on a day that they also received Paid Leave Oregon benefits, the employee will be inaccurately paid by Paid Leave Oregon. Paid Leave Oregon will work out the overpayment with the employee.

43. Is there a reconciliation between Paid Leave Oregon and the agency?

Yes, details are still being determined however there will be a reconciliation as to the dates Paid Leave is taken and days that are worked.

USE OF ACCRUED LEAVE

44. Am I required to use my accrued leave while receiving Paid Leave Oregon benefits?

No, you are not required to use your accrued leave while receiving Paid Leave Oregon.

45. *May an employee "top off" their Paid Leave Oregon payments by using their own accrued leave?

Yes, employees may use their accrued leave in any amount (up to their scheduled hours) on the dates they receive Paid Leave Oregon.

46. *May an employee use their own accrued leave time to receive more than 100% of their wages between the accrued leave and Paid Leave Oregon?

Yes, employees may use their accrued leave in any amount on the dates they receive Paid Leave Oregon (up to their full normal hours). Please note you cannot be paid more than your normal salary by the agency, however; when combined with Paid Leave Oregon benefits you may receive more than 100% of your normal wages.

47. *May an employee use their own accrued leave time while their application for Paid Leave Oregon is pending?

Yes, employees may use their accrued leave in any amount (up to their full normal hours) while their application for Paid Leave Oregon is pending.

48. *Who is responsible for determining the amount of accrued an employee needs to use each day to make them whole?

The employee is responsible for determining the amount of accrued leave they would like to use on the dates they receive Paid Leave Oregon.

49. *Is there a Paid Leave Oregon option on the leave request in Workday?

Yes, there is a Paid Leave Oregon reason when you submit your request for protected leave.

50. *How do I enter Paid Leave Oregon on my timesheet?

Employees record Paid Leave Oregon by submitting a leave request in Workday. When doing so the employee will select Protected Leave as the leave type and then select Paid Leave Oregon (or a combination of FMLA/OFLA

and Paid Leave Oregon) as the reason. Be sure to submit another leave request for your accrued leave or Leave Without Pay usage in order to account for your work time.

51. ***I don't see any available FMLA, OFLA, or Paid Leave hours in my bank of leaves. Why not?**

The FMLA and OFLA banks of leave are no longer displayed because they are no longer used. Because of changes to the OFLA law we are unable to automatically display this information the way we used to. Employees can see some balance information on the Additional Data tab of their Workday profile. They can also run a report from their Time Off (Absence) worklet. Click into Protected Leave, then on the right-hand side there should be a list of reports under Requested and Remaining Hours.

52. **Are there tools available to help employees in determining the amount of accrued leave they need to use to get to the amount of their salary they want to be paid?**

Yes, a calculator is available on the CHRO Paid Leave Oregon website.

53. **Are agencies required to produce off-cycle checks when an employee uses accrued leave while receiving Paid Leave Oregon?**

No, there is no requirement to produce off-cycle checks. Agencies follow their standard practices for producing off-cycle checks.

54. ***Are employees allowed to retroactively enter accrued leave for dates they receive Paid Leave Oregon?**

If an employee chooses to use Leave Without Pay while their claim is pending or while receiving benefits and later changes to use accrued leave, the agency will apply accrued leave and provide payment to the employee within three business days unless that falls within payroll blackout dates.

55. ***Are employees allowed to retroactively enter Leave Without Pay when they had previously entered accrued leave?**

If the employee chooses to use accrued leave while their claim is pending or while receiving benefits and later wishes to change to Leave Without Pay, their request will not be accepted. Employees cannot retroactively change to LWOP after being paid by using their accrued leave.

PAID LEAVE OREGON AND SHORT-TERM DISABILITY

56. **Will there be changes to The Standard's Disability Coverage with the start of Paid Leave Oregon?**

Yes. To learn about changes to disability coverage and your options for coverage, please contact [PEBB](#) or view the [PEBB August news release](#), or contact [The Standard](#).

57. **How do I find out if I have Short-Term Disability with PEBB?**

There are several ways:

- a [View your pay slip](#) in Workday
- b Log into your PEBB benefit account at https://pebbbenefits.oha.oregon.gov/bms_web/!pb.main
- c Contact [PEBB Member Services](#)

GENERAL

58. Where can I learn more about Paid Leave Oregon?

To learn about Paid Leave Oregon, please visit the Paid Leave Oregon website: <https://paidleave.oregon.gov/>

59. Who do I contact with questions about Paid Leave Oregon?

You may contact Paid Leave Oregon at:

Form: [Contact Paid Leave](#)

Email: paidleave@oregon.gov

Call: 833-854-0166 (toll-free)

60. Who do I contact for questions about how to record my leave or other topics affecting my employment when receiving Paid Leave Oregon benefits?

For anything related to your employment with the State of Oregon, please direct questions to your agency human resources staff or you can email your questions to chro.paidleaveOR@das.oregon.gov.

61. Will my manager or employer track how much Paid Leave Oregon I take?

Yes, your leave requests will indicate use of Paid Leave Oregon.

62. Can my manager extend my trial service if I use Paid Leave Oregon?

Extension of trial service is outlined in the Collective Bargaining Agreement or statewide policy.

63. Will taking Paid Leave Oregon affect my next annual salary increase?

The receipt of Paid Leave Oregon does not affect an employee's seniority, eligibility for salary increases or recognized service date.

64. Where in Workday can I see what FMLA/OFLA or Paid Leave Oregon I have been approved for?

You can see your Family and Medical Leave events by navigating to your profile in Workday, then clicking Personal on the left-hand side, then clicking into the Additional Data tab along the top. Here is a link to a [tutorial](#) in Workday.

65. *What Paid Leave Oregon information is added to the Additional Data fields in Workday?

Information that Paid Leave Oregon is pending, approved, or closed is documented in the Additional Data field in Workday. This section may also contain the Paid Leave benefit year start and end date, eligibility for job protection, and number of days approved. All notices received can be saved in the Paid Leave Oregon document type in Workday as well.

66. *Does Paid Leave count as time worked for overtime purposes?

No, it does not. If you use accrued leave, that does count as time worked for overtime.

67. *How long do I have to use my Paid Leave Oregon benefits?

Your Paid Leave Oregon benefit year will begin the Sunday immediately preceding the first day you use leave. It will run for 52 weeks from that date.

68. *Do I have to take FMLA and OFLA if I'm using Paid Leave Oregon?

If the condition qualifies and you are eligible for OFLA, you must use your OFLA entitlement while on Paid Leave Oregon. FMLA and OFLA also run concurrently when the condition qualifies for both and the employee is eligible for both.

69. ***How long do I have to use my FMLA and OFLA entitlements?**

Starting in January 2024 the FMLA and OFLA leave years have moved to a 52-week rolling forward schedule. Your leave year will begin the Sunday immediately preceding the first day you use leave and will run for 52 weeks from that date.

70. ***Are there any limitations to the amount of leave I can use in one year?**

Yes, during a Paid Leave benefit year you are limited to 16 weeks of total leave in any combination (FMLA, OFLA, Paid Leave), or 18 weeks if your condition is pregnancy related. This means if you start a Paid Leave benefit year and use 16 (or 18 weeks) of leave you cannot use more until your Paid Leave benefit year resets, even if you have additional OFLA entitlements available.

FRAUD

Unfortunately like any benefit program, Paid Leave Oregon is experiencing fraudulent claims, across all employers. Every claim goes through ID verification. Every time a claim is filed, the Employment Department will send a confirmation to the applicant and notify the employer.

71. **What do I do if someone has filed a fraudulent claim under my name?**

Please notify Paid Leave Oregon and your absence partner (HR). Report the fraud to the Employment Department through [Report fraud \(oregon.gov\)](#) You can also use the Contact Us form at [Home - Paid Leave Oregon](#).

Be sure to notify your absence partner/HR so that they can respond accordingly to the notification that they receive and to assist in preventing the further processing of leave.

72. **What can I expect the Employment Department to do when I report a fraudulent claim?**

When you report fraud, you can expect the Employment Department to gather your information to ensure fraud is detected and flagged. However, don't be surprised if the department is not able to share further information about how the fraud may have occurred with you. The Employment Department representatives also will not know where or how your identification information was stolen and won't share details because doing so may increase the threat and risk of fraud attempts.

73. **Where can I find more information on Fraud and Identity theft?**

We all must be on the lookout for our potentially stolen identification information being bought, sold, and used fraudulently. The Employment Department adjusts fraud prevention and intervention in preparation and response, and you can too.

The Employment Department's website has additional information on Fraud and Identity Theft: [Protect Yourself from Fraud | OED Unemployment Insurance \(oregon.gov\)](#)

The Department of Justice's website also has additional information on Identity Theft: [Identity Theft - Oregon Department of Justice : Consumer Protection \(state.or.us\)](#)

74. Will HR ever place an employee on Paid Leave Oregon without telling the employee?

No, the employer cannot grant Paid Leave Oregon benefits. Only the Employment Department can grant or start Paid Leave benefits. Separate from the Paid Leave Oregon approval for paid leave benefits, the agency HR requires documentation from a doctor stating the employee cannot work. Otherwise, the employer agency will allow the employee to continue working.

75. What will happen to my available OFLA or FMLA balance if a fraudulent Paid Leave Oregon claim goes forward under my name?

Generally, the employee enters their request for FMLA/OFLA protection in Workday and another leave request for any accrued leave they wish to use. In some cases, the manager or HR may need to submit the FMLA/OFLA request for you. If it is confirmed that it was a fraudulent claim, and no FMLA/OFLA should have been used, your HR staff can help to rescind any requests and reinstate any FMLA/OFLA balances.