

Meeting:		Advisory Committee					
Date/time:		03/04/2020 1:30 pm					
Location:		Employment Dept., 875 Union St. NE, Salem; Dave Pleasant room, Director's Office					
Attendees:		P (Present)	A (Absent)	C (Conference Caller)	F (Facilitator)		
F	David Gerstenfeld (Chair)	P	Linda Herrera (Member)	P	Eva Rippeteau (Member)	P	Kay Erickson (Executive Sponsor)
P	Amanda Dalton (Member)	P	Eric Hunter (Member)	P	Paloma Sparks (Member)	A	Jeannine Beatrice (Executive Sponsor)
C	Jenny Dresler (Member)	P	Andrea Paluso (Member)	P	Jessica Giannettino Villatoro (Member)	P	Phoebe Colman (Staff)
P	Teresa Rainey (Guest)	A	Lois Williams (Staff)	A	Gerhard Taeubel (Staff)	P	Ayesha Khalid (Staff)

Supporting Materials

1. Employment Department 2019-2025 Strategic Plan-vision, mission, values
2. Employment Department 2019-2025 Strategic Plan-goals and outcomes
3. Advisory Committee Meeting Agenda and Meeting
4. Notes – 20200128 – Final
5. Background and Introduction for 2.17.2020 Actuarial Report
6. Estimating Benefit Costs for Oregon Paid Family and Medical Leave 17Feb2020
7. Paid Family and Medical Leave Insurance (PFMLI) Program Solutions for Third-Party Administration (sent separately from Lois Williams February 25, 2020)
8. Proposed PFMLI Workgroups CHART – DRAFT 20200211
9. Proposed PFMLI Workgroup timeline – DRAFT 20200228
10. Proposed PFMLI Rulemaking Process – DRAFT 20200211

Agenda

	Topic	Purpose	Time		Presenter
1.	<p>Welcome, agenda review, outcomes</p> <p>Outcomes from today's meeting will be to:</p> <ol style="list-style-type: none"> 1) Share more in-depth explanation of Employment Department's Strategic Plan and decision-making process 2) Share program updates 3) Discuss Actuarial Report 4) Discuss RFI for third-party administration of benefits 5) Discuss workgroups: topics, timing, members 	Discuss	1:30	1:40	David Gerstenfeld
2.	<p>Department's Strategic Plan; explanation of department's decision-making process</p> <ul style="list-style-type: none"> • Kay provided background on creating the plan, which was a product of numerous sessions and meetings with a wide range of employees, service partners, and other 	Discuss	1:40	2:15	Kay Erickson, Teresa Rainey, David Gerstenfeld

<p>stakeholders. A leadership board then met for over a year and half, distilling all of the input received down to the current strategic plan.</p> <ul style="list-style-type: none"> The emphasis for the vision was on inclusivity and meaningful work for both individuals and businesses. The mission was in place already, but outcomes were added for core programs (will add a fourth bullet under Mission for PFMLI). Values selected are three most essential, goals reflect our values and operating principles, both external- and internal-facing. Teresa Rainey, Employment Department Equity and Inclusion Officer, provided an overview of her professional background, overview of the department’s Equity and Inclusion Council, equity definition, an overview of EIC initiatives, and an overview of equity lens goal. 				
<p>3. Approval of January notes and status of posting meeting notes The committee approved the January notes.</p> <ul style="list-style-type: none"> Discussion about public engagement in Advisory Committee (AC) meetings: Decision is to not have these meetings open to the public; they are not public meetings under Oregon’s public meetings law and this will enable open and candid discussions about challenging issues in order to provide best possible advice to the department. Public engagement will be actively sought out where it is likely to be most impactful including active engagement by workgroups as they work on particular aspects of PFMLI. Also an increase in external push of information. Department is working on capacity-building and planning to support the expansion of these activities. Advisory Committee meeting notes and finalized documents will be posted on PFMLI website, along with other program-related documents and resources. Some AC members are receiving interest from others for AC meetings to be open to public. Discussion about Washington’s approach to its advisory committee meetings, some possible solutions to logistical issues, ensuring equity in input, engagement of some stakeholders in activities leading up to HB 2005. An AC member asked for the reasons AC meetings are not open to public: (1) In HB 2005, and under Oregon public meetings laws, these meetings are not public meetings; (2) To preserve opportunity for frank discussions so the Director can get the best advice; (3) the department will use other approaches to meet the legitimate needs to communicate with stakeholders about PFMLI and to actively engage them in developing the program. <p>David: Re-send FAQ & One-pager documents to group.</p>	<p>Discuss/ Approve</p>	<p>2:15</p>	<p>2:20</p>	<p>David Gerstenfeld</p>

4.	<p>Follow-up from feedback on items from January meeting</p> <ol style="list-style-type: none"> 1) Charter 2) Ground rules 3) Handbook (new) <p>David distributed handbooks to AC members that include rosters, a copy of the finalized charter, ORS chapter 657B and other statutory references. Additional materials will be provided for the notebooks in the future, such as workgroup information. Electronic versions of the handbook are forthcoming.</p>	Inform	2:20	2:30	David Gerstenfeld
5.	<p>February legislative session</p> <p>David provided an overview of the updates he and Kay gave to the Ways and Means Transportation and Economic Development subcommittee and the House Business and Labor Committee.</p>	Inform	2:30	2:35	David Gerstenfeld
6.	<p>Program updates</p> <ol style="list-style-type: none"> 1) Staffing/hiring updates 2) Other <p>The PFMLI Division hired several policy analysts, one of whom took notes during the meeting, and a PFMLI Actuary who attended the meeting.</p>	Inform/Discuss	2:35	2:40	David Gerstenfeld
7.	<p>Actuarial Report</p> <p>David provided a summary of the report. Analysis shows that under most scenarios, the one percent of wages threshold is sufficient. The report looks at a large number of variables, with lots of assumptions. We will have a better idea of what everything looks like after we receive Washington State's data and in other ways further calibrate projections.</p> <p>Discussion ensued around the limited data currently available and how contribution rates are calculated without knowing the benefits. Suggestion to have Jeff Hayes, the report's author, join the next Advisory meeting to have a more in depth discussion. (David will contact Jeff about his availability)</p>	Discuss	2:40	3:00	David Gerstenfeld
8.	<p>RFI for Third-Party Administration of Benefits</p> <p>An RFI was released and is open until the end of March. Once any responses are received, that information will be compiled and presented to the Advisory Committee.</p>	Discuss	3:00	3:05	David Gerstenfeld
9.	<p>Workgroups:</p> <ol style="list-style-type: none"> 1) Proposed Workgroups – CHART 2) Proposed Timelines 3) Proposed Rulemaking Process <p>The Advisory Committee reviewed a draft of the proposed workgroups with proposed timelines.</p>	Discuss/ Plan/ Approve	3:05	3:25	David Gerstenfeld

	<p>The department wants to be transparent, inclusive, and to help people understand the framework through which decisions are being made. Because of this, the goal for the proposed workgroups is to solicit input from a variety of different constituencies and perspectives. The workgroups will also have scheduled listening sessions to receive feedback. Workgroups will focus on specific topics, whereas the Advisory Committee will look at high-level topics and discuss any contentious issues that arise out of the workgroups.</p> <p>The Committee provided feedback on the proposed workgroups, timelines, and rulemaking process:</p> <ul style="list-style-type: none"> • Timeline should reflect a workgroup meeting after listening sessions to incorporate feedback received. • Discussion as to whether all rules must be effective by September 2021. The current timeline proposes some rules in place by September 2021, but not all. Employers cannot know requirements for an equivalent plan without also knowing what benefits they must provide, so more rules relating to benefits may be needed sooner. • Self-employed may not universally identify as “workers” or “employed”. Consider incorporating the word “contractors”. • Suggestion to move the Small Employer workgroup timeline forward. • Concerns expressed about the timeline coinciding with the 2021 legislative long-session, which may pose challenges for some members. • The department will solicit interest in participating in various workgroups, and AC members will do the same. The department will present information to the AC on who expresses interest in each workgroup along with thoughts on composition based on those people and perspectives that the AC has identified as being important and representative. The AC will then make recommendations to the department on who to appoint to workgroups. • David will send recap of discussion to members and ask for their further thoughts within the next week. Need member input on any further changes, areas of interest, recommendations for workgroup members and what perspectives or expertise is particularly important to include in various workgroups, assistance with helping to communicate workgroup membership solicitation through their networks. 				
10.	<p>Review action items and decisions</p> <p>Action items identified in the meeting:</p>	Discuss	3:25	3:30	David Gerstenfeld

- David will clarify the September 2021 rule timeline and send to members.
- Advisory Committee members will provide thoughts on the workgroup timeline and structure of the workgroups in the next week. Also, Committee will begin recommending work group members and communicating/soliciting information through their networks.

Action Items

Action	Assigned	Date Due	Completed
<i>Draft charter for rulemaking workgroup, perhaps other workgroups as well. Work w/chair(s) of that group to solicit membership and get 1st meeting scheduled</i>	<i>David Gerstenfeld</i>	<i>January 17, 2020</i>	<i>Closed</i>
<i>Distribute proposed timing and sequencing of workgroups</i>	<i>Lois Williams</i>	<i>February 28, 2020</i>	<i>Complete</i>
<i>Draft proposed workgroup list</i>	<i>Lois Williams</i>	<i>February 28, 2020</i>	<i>Complete</i>
<i>Draft proposed rulemaking process</i>	<i>Lois Williams</i>	<i>February 28, 2020</i>	<i>Complete</i>
<i>Develop workgroup member solicitation plan</i>	<i>Lois Williams</i>	<i>March 4, 2020</i>	<i>In progress</i>
<i>Draft proposed template workgroup charter</i>	<i>Lois Williams</i>	<i>April 1, 2020</i>	<i>In progress</i>
<i>Schedule meetings for 2020</i>	<i>Lois Williams</i>	<i>March 4, 2020</i>	<i>Complete</i>
<i>Distribute one-pager and FAQ documents to committee electronically</i>	<i>Lois Williams</i>	<i>January 31, 2020</i>	<i>Complete</i>
<i>Distribute final actuarial report prior to next meeting</i>	<i>David Gerstenfeld</i>	<i>February 28, 2020 (if finalized)</i>	<i>Complete</i>
<i>Distribute finalized AC charter and meeting ground rules</i>	<i>Lois Williams</i>	<i>March 4, 2020</i>	<i>Complete</i>
<i>Contact Linda Herrera to explore equity lens discussion</i>	<i>Lois Williams</i>	<i>February 28, 2020</i>	<i>Complete</i>
<i>Re-send the FAQ and One-pager when finalized</i>	<i>David Gerstenfeld</i>	<i>March 9, 2020</i>	
<i>Provide handbooks in electronic format</i>	<i>Lois Williams</i>	<i>April 1, 2020</i>	
<i>Invite Jeff Hayes to next meeting to discuss report</i>	<i>David Gerstenfeld</i>	<i>April 1, 2020</i>	
<i>Send recap of meeting discussion to members and ask for their further thoughts within the next week. Include clarification on rulemaking timeline.</i>	<i>David Gerstenfeld</i>	<i>March 9, 2020</i>	
<i>Provide any further changes, areas of interest, recommendations for workgroup members and what perspectives or expertise are particularly important to</i>	<i>Committee Members</i>	<i>March 13, 2020</i>	

<i>include in various workgroups, assistance with helping to communicate workgroup membership solicitation through networks.</i>			
<i>Provide any further suggestions on workgroups – their relative scope (should any be combined, etc.), timelines and related matters</i>	<i>Committee Members</i>	<i>March 13, 2020</i>	

Recommendations