

Meeting:	Advisory Committee						
Date/time:	1/6/2021 1:30 – 3:30 pm (Virtual)						
Location:	Advisory Committee meetings are open to the public with the ability to listen by audio via Zoom. If you have questions about the PFML program, please Email us Join ZoomGov Meeting https://www.zoomgov.com/j/1610221910?pwd=eUxmWCtCVW5ZdUt2eEQ4T2E5d0NrUT09						
Attendees:	P (Present)	A (Absent)	C (Conference Caller)	F (Facilitator)			
P	Gerhard Taeubel (Chair)	P	Linda Herrera (Member)	P	Eva Rippeteau (Member)	A	David Gerstenfeld (Executive Sponsor)
A	Amanda Dalton (Member)	P	Eric Hunter (Member)	P	Paloma Sparks (Member)	A	Jeannine Beatrice (Executive Sponsor)
A	Jenny Dresler (Member)	P	Andrea Paluso (Member)	A	Jessica Giannettino Villatoro (Member)	P	Phoebe Colman (Staff)
P	Lois Williams (Staff)	P	Lili Hoag (Staff)	P	Jen Haynes (Staff)	P	Dean Johnson (Staff)
P	Jason Bouley (Staff)						

Supporting Materials

1. PFMLI Advisory Committee Meeting 12-2-2020 Meeting Notes – Final

Agenda

	Topic	Purpose	Time	Presenter
1.	Welcome, agenda review, outcomes Outcomes for today’s meeting: 1) Share Employment Department updates 2) Provide PFMLI program updates 3) Provide communications and outreach updates 4) Discuss PFMLI recommendation re: third-party administration of benefits v department administration of benefits 5) Provide workgroup activity updates	Discuss	1:30 – 1:40	Lois Williams

- A quorum was not present at the start of the meeting, and the meeting was delayed approximately 15 minutes. Lois explained quorum requirements from the group’s charter, relaying the requirement to have at least two members representing employers and two representing employees present in order to take action; the meeting could go forward for informational update agenda items, but not for the discussion pertaining to the program’s recommendation to the director that the department self-administer PFMLI benefits.
- Gerhard explained that the Advisory Committee’s comments from the previous meeting had been taken into consideration in the updated recommendation document regarding benefits administration. However, it was decided at the December meeting that it was appropriate for members to have additional time to review the document and send comments. Additional comments in support of the recommendation were received and summarized for the committee. David wants to hear the Advisory Committee’s thoughts and whether there is consensus from the group.
- Discussion ensued about whether the meeting should proceed without the necessary quorum. Gerhard suggested going forward with the informational materials, allowing time for other members to join before the action item.

- Additional members joined the meeting, creating a quorum.

2.	Approval of December 2, 2020 meeting notes	Approve	1:40	1:45	Lois Williams
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- No comments from committee members. Meeting notes were approved.

3.	Employment Department updates 1) UI Programs 2) Modernization Update (Status of Procurement) 3) December Interim Legislative Days 4) 2021 Legislative Session	Inform	1:45	2:00	David Gerstenfeld Gerhard Taeubel
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Employment Department Updates

- 1) UI programs
 - The federal government-approved programs regarding UI benefits are being implemented - the Continued Assistance for Unemployed Workers (CAUW) Act with guidance from the Department of Labor. Claimants will not lose any weeks of benefits, but may receive some retroactively, so claimants should keep claiming benefits every week.
 - A \$300 Federal Pandemic Unemployed Compensation (FPUC) payment will begin as early as this week.
 - Claimants (self-employed) are still receiving PUA benefits.
 - The Mixed Earner Unemployment Compensation program will go live in approximately March (\$100/week). This program is challenging to implement and there are significant unknowns, but the first week of coverage is this week.
- 2) Modernization Update (Status of Procurement)
 - A Notice of Intent to Award was issued to FAST Enterprises, and no protest was filed, so the agency can move forward with negotiations.
 - The agency is putting together a small core group for the negotiations.
 - PFMLI will be talking to FAST about combining aspects of PFMLI solution needs with UI Modernization work.
- 3) December Interim Legislative Days
 - David presented about the PFMLI program to the Senate Labor and Business Committee.
- 4) 2021 Legislative Session
 - PFMLI has formed a PFMLI legislative team to identify and monitor legislation that may have an impact on the PFMLI program.

4.	PFMLI Program updates	Discuss	2:00	2:10	Gerhard Taeubel
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PFMLI program updates:

- 1) Policy work:
 - Much recent effort in drafting early proposed administrative rules which are on the program webpage (there are 10 draft rules available for comment now, and there were 10 in December). We're seeking early comments to review before entering the formal rulemaking process. We have received a fair amount of comments related to the draft rules.
 - As the team has been engaged, they have come across some areas of the PFMLI statute that may need modification. A list of proposed statutory changes will be presented at the next meeting. David would like the Advisory Committee to weigh in on the possible statutory changes.
- 2) Program management:
 - PFMLI program is establishing a relationship with the DAS Enterprise Information Services office in readiness for future technology projects.
 - We have an ongoing process to develop and refine business process maps.
 - We have launched our risk and issues management team and process.
 - We are continuing to build the program schedule.

- We have several open recruitments, including nine policy staff and one project manager to help plan, organize, and lead various projects within the larger implementation. PFML program recently shared the hiring announcements, including an OPA4 (duties include serving as liaison to the Advisory Committee), and a PM2; tomorrow an announcement will be posted for the remaining eight OPAs (OPA2s and OPA3s).

5.	Communications and outreach updates	Discuss	2:10	2:20	Lili Hoag
Communications and outreach updates:					
<ul style="list-style-type: none"> • Program finished the first round of outreach with virtual town halls. • We are now focused on a targeted outreach plan and will schedule outreach events. • The RFP for communications vendor closes this Friday; we are planning to bring a vendor on in the coming couple of months. • We are in the process of doing some training about universal access and are developing a language access plan. 					
6.	PFML Division Recommendation re: third-party administration of benefits v department administration of benefits	Discuss	2:20	2:40	Gerhard Taeubel
PFML Division Recommendation re: third-party administration of benefits v department administration of benefits:					
<ul style="list-style-type: none"> • At the last Advisory Committee meeting the division presented the recommendation that the department administer benefits for the PFML program. • Gerhard reminded everyone that the written analysis was discussed during the last meeting, but had been distributed to members only one day before the meeting. There was discussion at the meeting that was captured in the written analysis. However, because the group did not have enough time to review the document, it was agreed that the group should have longer to review. The group was given until Dec. 11 to respond, and some written comments were received; a summary of those comments has been distributed to the group with the updated recommendation. • David has asked the Advisory Committee to give a recommendation and since, according to its charter, the committee strives for consensus, there was a desire in this meeting to obtain consensus on the recommendation for David. Gerhard asked for additional comments, thoughts and ideas. • Paloma said she continues to be concerned that PFML program does not have a clear idea of the costs for the department to administer benefits, and she is concerned that the agency will discover that administration costs more than anticipated, which could result in employers having to pay more. She hopes that the department will make every effort to make administration of benefits cost-effective and will not ask employers to bear the cost. • Paloma added that the estimates on the administrative costs are optimistic and the comparison to other states (who already had disability programs in place) were flawed because it was not comparing apples to apples. • Eric said he prefers hiring experts to do certain things, but in this case trying to hire a vendor when we are not sure what we want or need them to do is probably not appropriate. He feels he can support the recommendation, because there would also be a lift to manage a vendor. • Andrea stated that she had submitted comments agreeing with the agency's recommendation and said that she believed that recommending the department administer benefits does not preclude the agency from entering into contracts to develop parts of it. • Lois asked each member if they could support the recommendation. All members present were supportive, but for Paloma, who stated she could not support the recommendation. Paloma agreed to submit her opposition to the recommendation in writing by early next week (Jan. 11 or 12). Her comments will be attached to a summary of the committee's input to date when shared with David. • Lois had already sent emails to Jess and Jenny to give them an opportunity to comment on the recommendation. • Program's recommendation will be forwarded to David, along with a summary of the Advisory Committee's input with Paloma's comments attached. 					
7.	Workgroup Activity:	Discuss	2:40	2:50	Lois Williams

- 1) Equivalent Plans workgroup
- 2) Contributions workgroup
- 3) Benefits workgroup
- 4) Self-Employed / Independent Contractors workgroup
- 5) Small Employers workgroup
- 6) December calendar

Workgroup Activity:

- Lois reviewed the slides that recap each workgroup’s recent and upcoming discussion topics. See the separate slides for details. She noted that some workgroup meetings have been rescheduled and some are going to a once per month schedule rather than the previous two meetings per month schedule.
- There was a suggestion that the Advisory Committee change the time of the meeting to 1:00. The members present agreed to the change.
- Lois will check the logistics and will check with the other advisory members who were not present, after which Lois will send another invite for the Advisory Committee meetings going forward at the new time.

8.	Review action items and decisions	Discuss	2:50	3:00	Lois Williams
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- There were no further topics for discussion.
- Lois discussed new action items: Paloma will send written comments on the third-party benefits administration recommendation by early next week.
- Lois will share a copy of the committee’s input at the time that it is forwarded to David.
- Meeting ended at 2:30 pm.

Action Items

Action	Assigned	Date Due	Completed
<i>Provide written comments on the third-party benefits administration recommendation to Lois by early next week (Jan. 11-12)</i>	<i>Paloma Sparks</i>	<i>January 12, 2021</i>	
<i>Distribute a copy of the committee’s input at the time that it is forwarded to David.</i>	<i>Lois Williams</i>	<i>TBD</i>	
<i>Distribute today’s workgroup activity slides to committee members</i>	<i>Lois Williams</i>	<i>January 12, 2021</i>	

Recommendations

The Advisory Committee, by majority, supports the PFMLI program’s recommendation that the department self-administer PFMLI benefits, rather than use a third-party administrator. Minority written comments will accompany the committee’s statement in support of the recommendation.