

Meeting:	<b>Paid Leave Oregon Advisory Committee</b>				
Date/time:	<b>August 3, 2022</b>				
Location:	Microsoft Teams				
Attendees:	P (Present) A (Absent) S (sent sub)				
	Facilitator: Karen Madden Humelbaugh Scribe: Mackenzie Jones				
<b>Members</b>		<b>Staff</b>		<b>Guest</b>	
P	Karen Madden Humelbaugh	P	Mackenzie Jones	P	Erin Seiler (BOLI)
P	David Gerstenfeld	P	Xann Culver	P	Dylan Morgan (BOLI)
A	Jeannine Beatrice	P	Danielle Willey	P	Leila Wall (BOLI)
P	Amanda Dalton (employers)	P	Angela Yeager	P	Megan Denison (DOR)
P	Jenny Dresler (employers)	P	Michele Roland-Schwartz	P	John Galvin (DOR)
P	Linda Herrera (employees)	P	Allen Spangler		
P	Eric Hunter (employers)	P	Cameron Buzzell		
P	Andrea Paluso (employees)	P	Juan Serratos		
A	Eva Rippeteau (employees)				
A	Paloma Sparks (employers)				
A	Jessica Giannettino (employees)				

## Agenda

Time	Docket #	Topic	Purpose	Presenter
1:00 pm	1.0	<b>Welcome</b>	Inform	Karen Madden Humelbaugh &
	1.1	Member Roundtable		David Gerstenfeld
	1.2	Agency & Program Updates		
	1.3	Approval of July Meeting Notes		

No comments or edits from committee members, July meeting notes approved.

The Secretary of State (SOS) concluded their audit about the agency's Unemployment Insurance (UI) program's handling of claims during the pandemic. The SOS office released their audit last week and it is available on their website. Earlier this week, Oregon Employment Department (OED) submitted the agency request budget for the 2023-2025 biennium. The agency has not historically received money from the general fund but there is a request for general funds this year to help the agency complete some important work that the declining federal revenue won't be able to support. The agency is also preparing for the first rollout of the new modernized system, Frances, in about one month.

1:20 pm	2.0	<b>Policy &amp; Rules Updates</b>	Inform	Kelley Ofoni & Shannon Ball
	2.1	Interagency work with BOLI & DOR		Guests: Erin Seiler, Dylan Morgan, Leila Wall, Megan Denison & John Galvin
	2.2	Model Notice		
	2.3	Administrative Rules		

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Partners from the Bureau of Labor and Industries (BOLI) and the Department of Revenue (DOR) joined to discuss their partnerships with the Paid Leave Oregon team.

Erin Seiler, BOLI, shared that BOLI has been partnered with Paid Leave Oregon since early 2021. There have been two very direct relationships including 1) the enforcement of the job protections and 2) the relationship between Oregon Family Leave Act (OFLA) and Paid Leave Oregon. The more indirect relationship between BOLI and Paid Leave is regarding providing technical assistance for employers. Employers instinctively call BOLI with leave-related questions. BOLI and Paid Leave are working together to ensure they are on the same page and will be able to direct constituents to the correct agency for their questions. Amanda Dalton urged BOLI and Paid Leave to work together to create a combined FAQ document to help minimize the need for employers to have to navigate multiple state agency websites.

Megan Denison, DOR, discussed the two main bodies of work that are shared between DOR and Paid Leave Oregon. One topic of discussion is the legislative concept for sharing information around self-employed participants. DOR is working with their IT team on a solution request to determine how they'll facilitate the exchange of information and the language for the inter-agency agreement with Oregon Employment Department. The other item that DOR is working with Paid Leave on is sending joint questions to the Department of Justice (DOJ) on the taxability of benefits and deductibility of contributions. Amanda Dalton asked if there had been any research on how Washington's Paid Leave program manages those two topics and if the DOR feels they will need to do any rulemaking after they receive guidance from the IRS. The biggest challenge is that all paid leave plans are a bit different. Ultimately, they will need to wait for feedback from the IRS. Andrea Paluso asked if there were opportunities for data sharing with DOR that could help identify self-employed workers to help with outreach efforts. Megan Denison said that sharing info about potential applicants would likely require a legislative mandate. In general, tax return information is subject to very strict disclosure laws. It is possible there could be a more creative way such as putting info about the program on DOR's website or on tax return instructions. Paid Leave Oregon has fact sheets available on the website, but does not have access to a mailing list for self-employed workers. Members are encouraged to send any suggestions to Angela Yeager on the Paid Leave Oregon team.

Amanda Dalton asked if DOR or BOLI have any plans to pursue fixes to legislative concepts in order to implement. DOR or BOLI have fixes they need as you implement? Neither have any changes they need to make at this time.

Cameron Buzzell shared the team's draft model notice and encouraged members to either share feedback verbally or send him an email by Friday, August 5. Amanda Dalton mentioned that the intro paragraph reads as a public employee program. It should be written clearly how much each person can expect in deductions. She also said that the reference to safe leave is not entirely accurate: safe leave is a result of being a survivor. Andrea Paluso feels that this document doesn't convey that all employees are covered and should reference self-employed individuals. She suggested adding language about how to qualify for 14 weeks of leave. She also had concerns about the paragraph on how information is protected and doesn't want people to feel compelled for people to provide information to their employer.

Xann Culver shared an Administrative Rules update. Batches 1, 2, and 3 have all been adopted, filed with the SOS and are now available on the SOS website. Batch 4 rules related to appeals, benefits, contributions and equivalent plans had 3 public hearings in July and re-noticed the proposed rulemaking for benefits rules due to a notice error and will have two additional hearings for those rules on August 23<sup>rd</sup> and 25<sup>th</sup>. The team has received the request to share a cumulative packet of all administrative rules and will do so very soon.

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2:00 pm	3.0	<b>Communications &amp; Engagement Updates</b>	Inform	Michele Roland-Schwartz & Angela Yeager
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Michele Roland-Schwartz provided updates from the Paid Leave Outreach and Engagement team. The team has been hosting "Community Conversations" 3 times per week since beginning of June. Attendance has remained consistent so they have decided to extend the sessions through September with an adapted schedule to host during non-traditional hours. The schedule will be posted soon. The team will be starting "Equivalent Plans Explained" weekly sessions beginning mid-August for one month. The Outreach team is also traveling throughout the state to provide

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