



**Paid Family and Medical Leave Insurance (PFMLI)
Rulemaking Advisory Committee
September 29, 2021**

9 AM to 12 PM

Anne Friend, OED Rules Coordinator

Lois Williams, PFMLI Operations and Policy Manager

Welcome!

- Purpose of today: Agency to receive input on Batch 1 draft rules for PFML and fiscal impact statements before beginning formal rule process with SOS.
- Please use the chat section for access issues.
- **If time allows**, we will hear public comments at the end of the meeting.
 - Please put your PFML questions/comments in the Q & A section.
 - Please indicate in the Q & A section if you want to speak at the end of the meeting. Comments will be received in the order that attendees add their name to the Q & A section.
 - Or, email your questions/comments to: OED_Rules@Oregon.gov
- No UI or PUA benefit questions addressed today.
- ***This meeting is being recorded and will be retained as part of the rulemaking record.***



PFMLI Rulemaking Advisory Committee

- Representing Employees:
 - Linda Herrera, Pineros y Campesinos Unidos del Noroeste (PCUN)
 - Andrea Paluso, Family Forward Oregon
 - Eva Rippeteau, Oregon American Federation of State, County and Municipal Employees (AFSCME)
 - Catie Theisen – substitute for Jessica Giannettino Villatoro, Oregon American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
- Representing Employers:
 - Amanda Dalton, Dalton Advocacy, Inc.
 - Jenny Dresler, Public Affairs Counsel
 - Eric Hunter, CareOregon
 - Paloma Sparks, Oregon Business & Industry

Proposed PFMLI Administrative Rules

Batch	Description	Tentative Timeline
1	Contributions Equivalent Plans (application, requirements, and termination) Self-employed Election (application, requirements, and termination) Employer Size, Assistance Grants Outreach rule	January 1, 2022
2	Equivalent Plans (simultaneous coverage, appeals, benefits)	April 1, 2022
3	Benefits Self-employed (benefits) Tribal Governments (application, requirements, benefits)	June 1, 2022
4	Appeals: Adoption of Attorney General model rules and all others	August 1, 2022
5	Miscellaneous: any addition rules identified Definition rules (consolidate, as needed)	September 1, 2022



Batch 1 Rule Notices

1.1 – Contributions

1.2 – Small Employers/Assistance Grants

1.3 – Equivalent Plans

1.4 – Self-Employed Individuals

1.5 – Outreach



1.1 – Contributions (part 1)

- Wages
 - Bonuses, Fees, and Prizes
 - Cafeteria Plans
 - Corporate Officer and Shareholder Dividends
 - Disability Payments and Accident Compensation
 - Gifts
 - Incidental Expenses
 - Jury Pay
 - Pensions
 - Remuneration Other than Cash
 - Remuneration Types



1.1 – Contributions (part 2)

- Contributions
 - [Definitions](#)
 - [Method for Determining Contribution Rate and Maximum Wage Amount](#)
 - [Maximum Wage Amount](#)
 - [Wage Reporting and Contribution Payments](#)
 - [Application of Payments](#)
 - [Deposit, Bond, or Letter of Credit](#)



1.1 – Contributions (part 3)

- [One-Percent Penalty](#)
- [Good Cause for Failure to File Reports or Pay Contributions](#)
- [Compromise of Amount Due](#)
- [Continuous Jurisdiction](#)



Contributions: Statement of Need

- Fiscal and Economic Impact
- Small Business Impact
- Racial Equity Impact



1.2 – Small Employers/Assistance Grants

- Employer Size
 - [Definitions](#)
 - [Method to Determine Number of Employees Employed by an Employer](#)
- Assistance Grants
 - [Eligibility](#)
 - [Application Requirements](#)
 - [Employer Contributions](#)
 - [Repayment of Grants](#)



Small Employers/Assistance Grants: Statement of Need

- Fiscal and Economic Impact
- Small Business Impact
- Racial Equity Impact



1.3 – Equivalent Plans

- [Definitions](#)
- [Application Requirements and Effective Date](#)
- [Plan Requirements](#)
- [Recordkeeping and Department Review](#)
- [Termination by the Department](#)
- [Termination by Successor in Interest](#)
- [Employer Withdrawal](#)



Equivalent Plans: Statement of Need

- Fiscal and Economic Impact
- Small Business Impact
- Racial Equity Impact



1.4 – Self-Employed Individuals

- [Eligibility](#)
- [Election Requirements and Effective Date](#)
- [Contribution Payments and Reporting Requirements](#)
- [Termination](#)



1.4 – Self-Employed Individuals

- Fiscal and Economic Impact
- Small Business Impact
- Racial Equity Impact



1.5 - Outreach

- [Outreach Plan](#)

Outreach: Statement of Need

- Fiscal and Economic Impact
- Small Business Impact
- Racial Equity Impact



Public Comments

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PFMLI Formal Rulemaking

- Batch 1 – Notice of Public Rulemaking:
*Published in the Oregon Bulletin: **November 1, 2021***
- Public Hearings: **Mid-December 2021**
- OED Rules webpage is the official formal rulemaking page:
www.oregon.gov/employ/Agency/Pages/OED%20Administrative%20Rules.aspx
- PFMLI webpage:
www.oregon.gov/employ/PFMLI/Pages/default.aspx
- Email your questions/comments to:
OED_Rules@Oregon.gov



Thank you

