



## Open Government Impact Statement

79th Oregon Legislative Assembly  
2018 Regular Session

## Measure: HB 4160

Only impacts on Original or Engrossed  
Versions are Considered Official

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Date: 2/9/2018

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### SUMMARY

Creates family and medical leave insurance program to provide employee who is eligible for coverage with portion of wages while employee is on family medical leave or military leave. Requires employer and employee contributions to fund program. Allows self-employed individuals to opt into program. Directs Director of Department of Consumer and Business Services to determine contribution amounts and weekly benefit amounts. Establishes Family and Medical Leave Insurance Fund. Amends Oregon family leave law to allow for leave after employee has been employed for 90 days with employer to match waiting period for benefits.

Protects employee's position of employment with employer while employee is on leave. Prohibits employer from retaliating against employee who invokes program and from interfering with employee rights under program. Establishes right of employee for civil action for certain employer violations.

Directs Department of Consumer and Business Services to administer collection and reporting requirements of contribution provisions. Requires director to work with other agencies and promulgate rules for administration of program. Establishes requirements for director to submit initial report to interim committees of Legislative Assembly no later than January 1, 2020, and to report on January 1 of every even-numbered year thereafter. Requires department to conduct study regarding implementation of program with regard to self-employed individuals who opt into program.

Takes effect on 91st day following adjournment sine die.

### OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure information contained in the records of the Department of Consumer and Business Services pertaining to the administration of the family and medical leave insurance program.

The department will receive and create various records in administering this program. Many of the records will be protected from public disclosure by federal or state law. It is unlikely that those types of records could be made subject to mandatory disclosure. Subjecting the remaining records to mandatory disclosure under public records law could affect the following competing issues: transparency; privacy; the ability to have frank discussions; and the ability to gather and use confidential information.