
Senate Committee on Labor and Business

March 9, 2023

SB 913 – Paid Leave Oregon Corrections & Modifications

Summary

SB 913 makes corrections and modifications within the Paid Leave Oregon statutes that are needed to enhance and simplify Paid Leave Oregon’s services for employers and employees. The Oregon Employment Department (OED) has worked closely with our Advisory Committee with the requests found in this bill.

SB 913 touches on several different categories within the Paid Leave Oregon program – contributions, benefits, equivalent plans, appeals, and general program that provide further clarification and assists the Oregon Employment Department to administer the program more efficiently. Below is a summary of what is proposed in each of the categories:

Paid Leave Oregon Contributions

- Reduces confusion about when an employee will begin contributing to the program
- Excludes from wages, for Paid Leave Oregon purposes only, Paid Leave Oregon contributions an employer pays on behalf of their employees
- Aligns the definition for where employee services are performed (localized), which state’s laws they are covered by, to match current law for Unemployment Insurance in Oregon as well as Paid Leave laws in other states
- Adds elected officials, judges, and legislators to the list of employees excluded from Paid Leave Oregon contributions and benefits

Paid Leave Oregon Benefits

- Removes the minimum benefit payment threshold amount for nonconsecutive leave, allowing claimants to receive quicker benefit payments
- Eliminates the prohibition that paid sick time, vacation leave, or any other paid leave cannot be more than 100% of the eligible employee’s average week wage when including the Paid Leave Oregon benefits received

Equivalent Plans

- Removes the requirement to adopt administrative rules to prevent benefit payments that are more than 100% of an employee's average weekly wage for employees covered under more than one plan
- Establishes a statutorily defined process to resolve equivalent plan disputes

Appeals

- Excludes Paid Leave Oregon appeals from Oregon's Tax Court system
- Expands appeals to include all Paid Leave Oregon decisions (contributions, elective coverage, assistance grants, etc.)
- Expands to allow authorized representatives to represent all parties in hearings
- Expands to allow the Director to dismiss certain hearing requests

General Program

- Amends and expands the authority to disclose Paid Leave Oregon information with a variety of state and federal agencies
- Excludes final orders that relate to Paid Leave Oregon from having to be publically available in an electronic format
- Allows authorized representatives to receive information on behalf of the claimant

Without this bill and the -1 amendment, processes for employers and employees may be more challenging, benefit payments may not be issued as soon, equivalent plan benefit payments may be reduced if an employee works for an equivalent plan employer and a state plan employer, appeal processes may be different depending on what issue the individual is appealing, and other state agencies may not have access to Paid Leave Oregon information that is needed to administer their programs efficiently.

SB 913 and the -1 amendment do not create a fiscal impact for OED since OED is currently implementing both the Paid Leave Oregon program and the system used to administer the program. There is also not an impact to the Paid Leave Oregon Trust Fund since the assumptions for the fund have incorporated these changes as they align with Unemployment Insurance and other states Paid Leave programs.



We ask you to support our efforts at making these essential changes to create efficiency for the Paid Leave Oregon program by passing SB 913 and the -1 amendment.

For more information about this testimony, contact OED_Legislative_Affairs@employ.oregon.gov.