



Oregon moms and caregivers fighting for gender, economic, and racial justice.

To: House Committee on Business and Labor
From: Family Forward Oregon
Date: April 12, 2023
RE: In Support of SB 912 and SB 913

Chair Holvey, Vice-Chairs Elmer and Sosa, and Members of the Committee,

Thank you for the opportunity to testify on SB 912 and SB 913, which will make necessary policy changes to Oregon's paid family and medical leave program. Family Forward Oregon is committed to advancing policies that support mothers and caregivers and help them to achieve economic stability. As an organization that has been actively involved in paid family and medical leave implementation, we believe that the two bills will allow the program to run efficiently, especially as paid leave benefits go live in September.

SB 912 will:

- Make statutory changes to Paid Leave Oregon laws related to overpayments, collections, and potential penalties for equivalent plan employers to enhance and simplify Paid Leave Oregon's services for employers and employees and ensure consistency between Paid Leave Oregon and Unemployment Insurance.

SB 913 will:

- Make technical corrections and housekeeping changes to Paid Leave Oregon laws related to contributions, benefits, equivalent plans, appeals, and general program operations.
- Provides further clarification, reduces the risk of some legal challenges to the program, and assists the OED to administer the program more efficiently.
- Creates easier processes for employers and employees, allows benefit payments to employees to be issued sooner, and allows employees and employers to challenge Employment Department decisions without needing to retain an attorney.

We are pleased that SB 913 helpfully clarifies that all employees, and not just those who meet the minimum earnings requirement, pay into the program, and also moves the appeals process under equivalent plans in the right direction and allows the director to employ the same appeals process used under the state program for disputes under equivalent plans.

When SB 912 and SB 913 passed out of the Senate Labor and Business Committee, the -2 amendment was adopted which makes a necessary technical change to the maximum wage amount for contributions. The -2 amendment changes the maximum wage amount for contributions to align with the Social Security Wage Based Index, instead of the Consumer Price Index. This was noted on the House floor when the Paid Leave Oregon bill passed as an error that would have eventually needed to be changed in statute. We support this amendment, as it will allow for easier payroll and administration to the program.

While we support the majority of the provisions in SB 913, we do still have some concerns with the confidentiality and disclosures language in Section 8. We agree with the department's goal of ensuring that employers are able to designate representatives to deal with matters regarding contributions. However, we believe this goal would be best met with separate provisions: one enabling the department to disclose information relating to claims for benefits with the claimant or their designated representative and the other enabling the department to disclose information relating to contributions with an employer or their designated representative. We do think it is possible to provide this further clarity via rulemaking, and look forward to addressing this concern in the rulemaking process with the agency.

Family Forward will continue to be an active partner in making sure that Paid Leave Oregon is set up in an efficient, equitable, and cost effective way that results in a program that works well for employees and employers alike.

Sincerely,

Lisa Kwon
Policy Manager
Family Forward Oregon



Family Forward Oregon • PO Box 15146, Portland, OR 97293 • 503-327-8143 • familyforwardaction.org



Family Forward Oregon • PO Box 15146, Portland, OR 97293 • 503-327-8143 • familyforwardaction.org