REVENUE: Revenue statement issued
FISCAL: Fiscal statement issued

Action:		Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:		3 - 2 - 0
	Yeas:	Monnes Anderson, Prozanski, Rosenbaum
	Nays:	George, Telfer
	Exc.:	0
Prepared By:		Jeremy Sarant, Administrator
Meeting Dates:		4/8, 4/27

WHAT THE MEASURE DOES: Creates Family Leave Benefits Insurance program to provide benefits to employees taking family leave to care for an infant or newly adopted child, newly placed foster child under 18 years of age, adopted or foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability, or a family member with a serious health condition. Establishes Family Leave Benefits Insurance Account in State Treasury. Requires employers to withhold premiums, not to exceed two cents per hour worked, from employees' earnings, and pay premiums into account. Applies to employers with 25 or more employees. Permits non-subject employers to opt-in commencing July 1, 2013. Requires reports and payments to Department of Revenue under existing statute. Appropriates moneys continuously in Family Leave Benefits Insurance Account to Bureau of Labor and Industries (BOLI) and requires BOLI to administer claims for benefits. Establishes qualifications for receiving benefits. Establishes amounts of and limitations on benefits. Allows employees to first file claims on or after January 1, 2012. Requires BOLI to notify the employer of a claim within five business days. Creates unlawful employment practice for discrimination under Act. Includes civil penalty provision. Establishes personal liability for certain individuals upon employer default. Declares emergency, effective on passage.

ISSUES DISCUSSED:
- Existing paid leave programs in other states and nations
- Impact on employees and employers of early return to work after childbirth
- Consistency of leave criteria with existing family leave law
- Effect of program on employee morale
- Adequacy of financial projections
- Possibility of inequities in actual use
- Administrative impact on employers
- Impact of deductions on low-wage workers

EFFECT OF COMMITTEE AMENDMENT: Clarifies how benefits are determined and paid.

BACKGROUND: Under the current family leave statute, an employee is entitled to *unpaid* leave for various purposes, including: "a) To care for an infant or newly adopted child under 18 years of age, or for a newly placed foster child under 18 years of age, or for an adopted or foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability. (b) To care for a family member with a serious health condition." (ORS 659A.159). Some employees who qualify for leave under the statute are unable to take leave because of financial constraints. SB 966 A creates an employee-financed insurance program that provides benefits to individuals desiring to take family leave for those purposes. SB 966 A requires that each employer withhold from the earnings of each employee a premium not to exceed two cents per hour worked, up to a maximum of 40 hours per week. The BOLI commissioner is authorized to reduce the premium, and is required to set a premium rate that will maintain a balance approximating 12 months of projected expenditures. Family leave benefits are payable under this section only to the extent that moneys are available in the Family Leave Benefits Insurance Account, and neither the state nor BOLI is liable for any amount in excess of this limit.