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82nd LEGISLATIVE ASSEMBLY
SENATE COMMITTEE ON LABOR AND BUSINESS
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February 14, 2023

To: Senate Committee on Labor and Business
From: Whitney Perez, LPRO Analyst
Subject: 2023 Committee

Dear Committee members, below you will find a list of LCs that are planned for introduction.

LC Number	Dated	Summary
4028	02/02/23	Authorizes Director of Employment Department to deduct amount from future weekly family and medical leave insurance benefits for overpayments due to individual's fault. Authorizes director to deduct amount from future weekly benefits for overpayments not due to individual's fault. Limits collection period to five years following week in which erroneous payment finally established, except in case of fraud. Specifies contents of notices of recovery. Authorizes director to waive recovery of overpaid benefits, except in case of fraud. Requires director to establish process by which covered individual may request hearing to obtain review of final determination of director regarding benefit deductions. Provides that person is ineligible for benefits after person is convicted of fraud. Authorizes director to cancel unrecoverable benefits paid as overpayments under certain circumstances. Authorizes director to request offset of moneys owed to debtor by state against certain benefit overpayments.

		<p>Authorizes director to collect employer assistance grant repayments and contributions from self-employed individuals and tribal governments, including penalties and interest. Allows director to attach liens on real or personal property as result of failure to remit such repayments and contributions. Authorizes director to assess penalties against employer that violates requirements applicable to employer-offered family and medical leave benefit plans. Requires director to establish process by which employer may request hearing to obtain review of penalty assessments.</p> <p>Authorizes director to waive, reduce or compromise outstanding nonpayment contribution balances of \$10 or less. Authorizes director to retain overpayments of mandatory contributions for overpayments that do not exceed \$10.</p> <p>Takes effect on 91st day following adjournment sine die.</p>
4030	02/06/23	<p>Makes technical changes to paid family and medical leave insurance program.</p> <p>Provides circumstances under which Director of the Employment Department may dismiss request for hearing.</p> <p>Authorizes director to disclose confidential information relating to paid family and medical leave program under certain circumstances.</p> <p>Clarifies Employment Department's rulemaking authority regarding dispute resolution process for equivalent employer plans. Excludes certain information related to final orders of department from requirement that information be maintained in digital format.</p> <p>Modifies definition of "employee" to exclude certain elected officials and holders of public office. Clarifies that definition of "wages" does not mean employee contributions paid by employer.</p> <p>Clarifies determination criteria for employee's place of performance for purposes of determining whether employee's wages are subject to provisions related to contributions and benefits.</p> <p>Permits employer to allow employee to use all or portion of other paid leave to supplement paid family and medical leave benefits.</p>

		<p>Clarifies that chapter relating to family and medical leave insurance benefits and contributions is not tax law subject to jurisdiction of tax court.</p> <p>Takes effect on 91st day following adjournment sine die.</p>
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