

## **SB 858 A STAFF MEASURE SUMMARY**

### **House Committee On Labor and Workplace Standards**

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**Prepared By:** Erin Seiler, LPRO Analyst

**Meeting Dates:** 4/21, 4/28

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#### **WHAT THE MEASURE DOES:**

The measure specifies actions an authorized agent may take on behalf of a deceased or incapacitated person within Paid Leave Oregon if the person was a covered individual who became deceased or incapacitated before submitting a claim for Paid Leave Oregon benefits or before the Director of the Employment Department made a final decision regarding a pending or existing claim for benefits. The measure makes technical changes to administrative provisions of Paid Leave Oregon. Takes effect on the 91st day following adjournment sine die.

#### Detailed Summary:

##### **Section 1**

Specifies that an employee is not eligible for Paid Leave Oregon benefits if the employee is receiving wage replacement benefits under a state or federal unemployment benefits program.

##### **Section 2**

Specifies actions an authorized agent may take on behalf of a deceased or incapacitated person within Paid Leave Oregon if the person was a covered individual who became deceased or incapacitated before submitting a claim for Paid Leave Oregon benefits or before the Director of the Employment Department (OED) made a final decision regarding a pending or existing claim for benefits. Directs the director of OED to adopt rules to implement this provision and specifies what those rules must be included at a minimum. Defines "authorized agent" and "incapacitated."

##### **Section 3**

Clarifies that employers and employees do not have to make contributions into Paid Leave Oregon when the employer has an approved equivalent plan for any quarter beginning on or after the effective date of the approved plan, and for the duration of the approved plan.

##### **Section 4**

Allows OED to disclose Paid Leave Oregon information to an authorized agent of a covered individual.

##### **Section 5**

Makes technical and conforming amendments.

##### **Section 6**

Specifies that Section 1 becomes operative on January 1, 2026.

##### **Section 7**

Takes effect on the 91st day following adjournment sine die.

Fiscal impact: Fiscal impact issued

## **SB 858 A STAFF MEASURE SUMMARY**

Revenue impact: Minimal revenue impact

Senate vote: 24 ayes; 5 nays; 1 excused

### **ISSUES DISCUSSED:**

- Actions an authorized agent may take on behalf of a deceased or incapacitated person within Paid Leave Oregon
- Current why Paid Leave Oregon deals with claims for a deceased or an incapacitated person
- Alignment with Unemployment Insurance (UI) programs, should additional UI programs arise
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### **EFFECT OF AMENDMENT:**

No amendment.

### **BACKGROUND:**

Paid Leave Oregon is contained in ORS Chapter 657B and was enacted by the Legislative Assembly in 2019. Paid Leave Oregon allows eligible Oregon employees to take paid, protected leave for specified family, medical, or safety-related reasons. The program requires employers with 25 or more employees to contribute to the program's fund, the Paid Family and Medical Leave Insurance Fund (fund). The fund maintains the Paid Leave Oregon Program and consists of contributions made to the program by employers and employees and from penalties, fees, revenues, and any other money deposited or credited to the account. Employers and employees began making contributions to the fund in January 2023. The Paid Leave Oregon program began providing benefits to employees and assistance grants to employers in September 2023. As of May 1, 2024, Paid Leave Oregon had received a total of 79,651 ID verified applications, paid 56,000 claimants, and paid a total of \$410.6 million in benefits.

Senate Bill 858 A makes technical changes to the administration of the Paid Leave Oregon program and specifies actions an authorized agent may take on behalf of a deceased or incapacitated person within Paid Leave Oregon if the person becomes deceased or incapacitated before submitting a claim for benefits or before a final decision has been made on the person's pending or existing claim.