



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

To: Senate Committee on Labor & Business
From: Family Forward Oregon
Date: January 27, 2025
RE: In Support of SB 69 and the -2 amendment

Honorable members of the Senate Labor & Business Committee,

On behalf of Family Forward, a statewide advocacy organization working to pass policies that support care and caregivers, thank you for the opportunity to provide testimony in support of Senate Bill 69 with the -2 amendments, which makes administrative and technical modifications within Paid Leave Oregon and the Oregon Family Leave Act. These amendments are the result of a collaborative effort between lawmakers, state agencies, labor advocates, and business representatives, and they represent another step forward in ensuring that Oregon's paid leave policies are effective, efficient, and fair for all workers.

Paid Leave Oregon has been a resounding success since its launch in September 2023. To date, the program has provided over 114,000 Oregonians with more than \$900 million in benefits, allowing them to take the time they need to care for themselves or a loved one, or access safe leave. This is a testament to the critical importance of paid leave in supporting the well-being and economic security of workers and their families. By providing a safety net for workers during times of need, Paid Leave Oregon has helped to reduce stress, improve health outcomes, and promote economic stability. And while the program has faced some challenges as this massive, brand new program has rolled out, we are proud to see this program thriving and making a real difference in the lives of Oregonians.

The -2 amendments address several key areas, including administrative oversight, retaliation and discrimination protections, and exceptions for certain employees. Specifically, Section 2 clarifies the role of the Bureau of Labor and Industries (BOLI) in overseeing job protection, retaliation, and discrimination provisions within Paid Leave Oregon. This ensures that workers have a clear recourse mechanism if they experience any adverse actions related to their leave.

Section 3 tolls the statute of limitations for filing complaints or civil actions related to these provisions, allowing claimants to pursue appeals without fear of missing deadlines. Section 4 defines "child" for purposes of protected leave, ensuring that workers can care for their children in times of need. Sections 5 and 6 permit employees to take leave without prior notice in certain circumstances and allow the Oregon Employment Department to disclose benefit information to employers for wage replacement calculations.

Section 7 allows employers to require certifications from healthcare providers before restoring employees to work after medical leave, promoting a safe and healthy return to work. Section 8 permits the use of statutory sick time for any qualifying purpose within Paid Leave Oregon, providing workers with flexibility and autonomy in managing their leave.

Section 9 makes conforming amendments, ensuring that the law is consistent and easy to understand.

Finally, Section 10 creates an exception to OFLA eligibility requirements for airline flight crew employees based in Oregon who meet specific federal regulations. This provision recognizes the unique circumstances of these workers and ensures that they are not unfairly excluded from leave benefits.

Family Forward supports all of the provisions included in the -2 amendment, however there are still several issues of concern to us and other worker advocates that we would like to continue working with the Legislature and agency partners to address during this legislative session or in the very near future. These unresolved issues include:

1. We must clarify in statute that if a worker has a short term disability insurance plan, they are able to choose the order of paid leave benefits for a qualifying health event. Currently, many workers who pay into a Short Term Disability plan are being forced to use Paid Leave Oregon first. Consequently, if a worker gets injured at the beginning of the year, they must use Paid Leave Oregon, often exhausting their benefits, leaving no or limited time for bonding, paternity, safe leave etc. that occurs later that same year. This is a consumer justice issue of people being able to utilize a benefit that they've paid into.
2. Under Paid Leave Oregon, the system can currently only pay out benefits in increments of a day or more. People need the ability to utilize Paid Leave Oregon in increments of less than one day, like they already do under OFLA. This means that workers are able to take a family member to a medical appointment and not be at risk of being fired for doing so since it is job protected time.

As OFLA protections for bonding and medical purposes disappeared with the passage of SB 1515, this will force workers to have to choose between not taking this time to care for themselves or a loved one at all, or incentivize them taking a whole day of paid leave, when they would otherwise have been able to go back to work. This disproportionately and adversely impacts hourly workers and caregivers primarily.

3. When a medical emergency is schedulable, we should eliminate the incentive for educators and other workers who experience planned breaks to take Paid Leave Oregon when it's more disruptive to students (regular school weeks) rather than less (regular school breaks). For example, since Paid Leave Oregon is denied to workers when they "wouldn't regularly be working," educators are financially much better off to take Paid Leave Oregon during the school year than to wait until a break period when they will receive no support for their needed leave. Educators are currently contributing to Paid Leave Oregon at the same rate as all other workers, but cannot

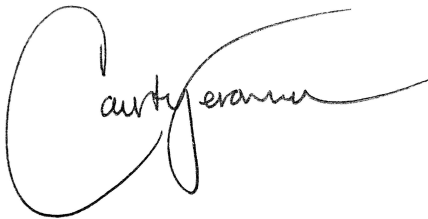


access the benefits equally. Seasonal workers and particularly classified educators – who are now eligible for Unemployment Insurance during the summer – are incentivized to take Paid Leave Oregon during the school year, not during the summer – in order to get their full set of benefits.

In conclusion, while there remains important issues that must be addressed for workers, Family Forward supports the -2 amendments to Senate Bill 69. These modifications will improve the effectiveness and fairness of Paid Leave Oregon and the Oregon Family Leave Act, benefiting workers, employers, and our state as a whole. We urge you to pass these amendments and continue Oregon's leadership in promoting worker well-being and economic security.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Courtney Veronneau". The signature is fluid and cursive, with a large initial "C" and a long, sweeping tail.

Courtney Veronneau
Deputy Director of Movement Building
Family Forward Oregon

