

# Electronic Alert

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## Paid Leave Oregon Poster Now Available: What Every Employer Needs to Do Now

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Preparations for Paid Leave Oregon's debut are in full swing and the Oregon Employment Department ("OED") just published a [model employee notice](#) detailing employees' rights and duties under the new program. Covered employers must make this (or a substantially similar) notice available to employees on or before January 1, 2023.

In addition to posting the required notice, here is what Oregon employers need to be doing now:

1. **Become familiar with the basics of Paid Leave Oregon.** Paid Leave Oregon is a family, medical, and sick leave insurance program that was created to provide eligible employees compensated time off from work for family leave, medical leave, and safe leave. Eligible employees may apply for benefits beginning September 3, 2023. The duration of benefits is generally 12 weeks per benefit year plus an additional 2 weeks for employees with limitations relating to pregnancy, childbirth, or a related medical condition.
2. **Prepare payroll to collect contributions and remit payments.** Paid Leave Oregon is funded by a trust fund with both employees and most employers contributing to the fund through payroll taxes. With contributions starting January 1, 2023, it is imperative that your payroll team is ready.
3. **Review current paid time off and leave policies.** Beyond understanding the mechanics of the program itself, employers must be aware of the impact Paid Leave Oregon may have on their currently offered employee benefits, especially when it comes to their leave policies. Leave available under Paid Leave Oregon may or may not align with other types of available protected leave, such as leave protected by the Oregon Family Leave Act or federal Family and Medical Leave Act. Similarly, Paid Leave Oregon benefits are in addition to other benefits offered by employers, including Oregon Sick Leave, short-term disability insurance, vacation, or other paid time off benefits. Oregon employers should take a critical look at their current leave policies and benefit offerings, and make decisions as to how those policies should be structured to better align with Paid Leave Oregon moving forward. Additionally, Oregon employers should revise their current policies to add new language regarding job protections and employee rights granted under Paid Leave Oregon.
4. **Decide whether to apply for an equivalent plan.** Employers may provide equivalent paid leave plans for their employees as an alternative to participating in the Paid Leave Oregon program. An equivalent plan must meet minimum requirements and be approved by the Oregon Employment Department. The Oregon Employment Department is already accepting applications. To be exempt from paying and remitting contribution payments beginning January 1, 2023, equivalent plan applications must be submitted by November 30, 2022.

Employers who intend to apply for an equivalent plan but cannot do so by November 30 may consider submitting a Declaration of Intent in the interim.

5. **If you are a Small Employer, evaluate whether to make the employer contributions.** Small employers with fewer than 25 employees are covered by Paid Leave Oregon, but are not required to pay the employer portion of contributions. However, small employers who choose to make the employer contributions may receive assistance grants to help with the costs of hiring a replacement worker or other significant wage-related costs when an employee is on leave.

With multiple decision points and policy revisions ahead, employers should start Paid Leave Oregon preparations now to ensure a smooth transition.

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