

ADDENDUM, OSBA EMPLOYERS GUIDE

(replaces information on p. 24, OREGON PAID FAMILY LEAVE AND MEDICAL LEAVE INSURANCE CONTRIBUTIONS)

PAID LEAVE OREGON

Paid Leave Oregon is a new program that allows workers in Oregon to take paid time off for some of life's most important moments that impact our families, health and safety.

What is Paid Leave Oregon?

What life events can employees take paid time off for?

- Family Leave – to care for a family member with a serious illness or injury, or to bond with a new child after birth, adoption or foster care placement.
- Medical Leave – during one's own serious health condition.
- Safe Leave – for survivors of sexual assault, domestic violence, harassment, or stalking.

When does Paid Leave Oregon start?

- Contributions start Jan. 1, 2023
- Benefits start Sept. 3, 2023
- Assistance grants start Sept. 3, 2023

Which employers and employees are covered?

Paid Leave Oregon covers almost every Oregon employer, and almost all employees in Oregon are eligible for benefits. This includes small and large employers, non-profits, charities, and faith-based organizations. Exceptions are:

- Federal employers and their employees
- Tribal governments and their employees (may choose coverage)
- Self-employed individuals or independent contractors (may choose coverage)

How is Paid Leave Oregon funded?

Employers and employees pay for paid Leave Oregon. Employers pay 40% and employees pay 60% of the contribution rate, which is 1 percent for 2023. (Visit the Paid Leave Oregon [website](#) for updated contribution rates as it may change from year to year).

- On Jan. 1, 2023, if you're an employee, you'll start seeing a small deduction from your paycheck. It will not be more than 0.6% of the employee's gross wages.
- Employers with 25 or more employees will also start paying into the program on Jan. 1, 2023. Small employers with less than 25 employees do not need to contribute, but will still need to collect and submit employees' share.

Employer responsibilities

All employers with employees working in Oregon are required to:

- ✓ Report quarterly employee wages for those working in Oregon and employee counts for both Oregon employees and those that work in other state(s) on the Oregon Quarterly Tax Report (Form OQ)*.
- ✓ Withhold and submit the employee portion of contributions (or cover some or all those contributions for their employees as an employer-offered benefit).
- ✓ Pay the employer portion of contributions (unless exempt from paying employer contributions as a small employer).
- ✓ Inform employees about Paid Leave Oregon.
- ✓ Restore employees to their position after taking paid leave if the employee has worked 90 consecutive days or more for the employer.
- ✓ Display the Paid Leave Model Notice Poster in each building or worksite in an area that is accessible to and regularly frequented by employees.
- ✓ Provide Model Notice Poster to remote-work employees by hand delivery, electronic delivery, or regular mail upon the employee's hire or assignment to remote work.

*Agricultural employers are required to report quarterly for Paid Leave Oregon purposes. Domestic employers may report annually for Paid Leave Oregon purposes.

Who is an Employee?

An employee is anyone who performs services for pay for another person or organization under any contract of hire, written or oral, express or implied. It also includes a home care worker. An employee does not include:

- An independent contractor;
- A participant in a work training program administered under a state or federal assistance program;
- A participate in a work-study program that provides students in secondary or postsecondary educational instructions with employment opportunities for financial assistance or vocational training;
- A railroad worker exempt under the federal Railroad Unemployment Insurance Act; or
- A volunteer. [ORS 657B.010(13)]

How to Register

Frances Online is Oregon's payroll contributions reporting system. It has replaced the Oregon Payroll Reporting System (OPRS) and the Employer Account Access (EAA) portal. Frances Online is where you, as an employer, will file your payroll report, including Paid Leave Oregon contributions. You can register and easily create an account today! To get help with questions or learn more about Frances Online, go to francesinfo.oregon.gov

Reports Due

In addition to the Oregon Combined Payroll Tax report, employers that are required to report Paid Leave Oregon employee and/or employer contributions, must report employee wage detail information and employee count. Reports are due quarterly, by the last day of the month following the end of each calendar quarter, for all employers except domestic employers. Domestic employer reports are due annually, by the last day of the month following the end of the calendar year.

Penalties

If an employer fails to file or complete all required reports or pay all required contributions prior to Sept. 1 of each year, the department will assess a penalty equal to 1 percent of the employee wages in the previous calendar year. The department will notify the employer using their preferred method, mail or electronically as indicated in the department's records, on or before Oct. 20 of the

year. The penalty will become final on Nov. 10 immediately following the assessment.

Contact Information

Learn more about Paid Leave Oregon:

Website: paidleaveoregon.gov

Phone number: 833-854-0166 (toll-free)

[Contact form](#)