

	Administrative Regulation	
	Policy#	8.5
	Effective:	09/03/2023
	Revised:	N/A
Paid Leave Oregon Insurance		Owner: Human Resources

PURPOSE:

This policy aims to ensure that eligible employees have access to paid leave benefits, promoting economic security, work-life balance, and the overall well-being of individuals and their families in compliance with OAR 471-070 and ORS 657B relating to Paid Family and Medical Leave Insurance. *(More specifically, OAR 471-070-2200 and ORS 657B.210 for Equivalent plans)*

SCOPE:

This regulation applies to all eligible employees.

POLICY:

The City of Springfield provides paid protected leave, commonly referred to as Paid Leave Oregon (PLO), through Lincoln Financial.

All health-related information gathered by the insurer and the City during this process will be maintained as confidential. Employees will not be discriminated against or retaliated against for using or trying to use this insurance benefit. We encourage each employee to use the combination of time off and benefits that meets their personal needs.

The Oregon Employment Department (OED) reviews and sets the contribution rate annually, which is currently 1% of taxable gross wages. Employees are responsible for 60% of the contribution rate (gross wages X 0.006). Notice will be provided to employees in advance of any change in the contribution rate as determined by OED.

PROCEDURE:

1. Eligibility

The determination of eligibility will be made by our insurance provider. If an employee disagrees with an eligibility determination, the employee may use the appeal process outlined in the determination notice.

Most employees who work in Oregon are eligible to submit a claim. To be covered, an employee must have:

- 1.1.1. Earned at least \$1000 in wages in the base or alternate base year from all employment in Oregon.

1.1.2. Contributed to PLO through payroll deductions in the base or alternate base year.

1.1.3. Have a life event that qualifies.

2. Reasons for Leave

2.1. Medical Leave

2.1.1. For an employee's own serious health condition.

2.2. Family Leave

2.2.1. To bond with a child after birth, adoption, or foster placement; can be taken within the first 12 months after the birth, adoption, or placement.

2.2.2. To care for a family member experiencing a serious health condition.

2.3. Safe Leave:

2.3.1. for survivors of sexual assault, domestic violence, harassment, or stalking to obtain legal or law enforcement assistance, seek medical treatment or recover from injuries, obtain counseling or support services, or relocate or take other steps to secure the health and safety of themselves or their dependent child.

3. Length of Leave

Employees must take paid leave in increments equal to one workday. Employees can take leave all at once (continuous) or in separate blocks of time (intermittent).

An employee may qualify for up to twelve (12) weeks of paid leave per benefit year in any combination of family, medical, and safe leave. The benefit year begins the Sunday before the period of leave and lasts for 52 weeks. An employee may also qualify for an additional two weeks of paid leave if they have limitations related to pregnancy.

An employee is not required to take sick leave, vacation leave, or other accrued leave prior to accessing paid leave benefits.

4. Benefit Amount While on Leave

Benefit amount is determined by our insurance provider based on the employee's previous wages and the state average weekly wage.

OED sets the state average weekly wage annually. OED uses the state average weekly wage to set a minimum weekly benefit amount and maximum weekly benefit amount. The minimum is 5% of the state average weekly wage, and the maximum is 120% of the state average weekly wage.

Paid Leave Oregon Insurance benefits are in addition to any employee accrued paid sick leave, vacation, Paid Time Off (PTO) or other paid leave benefits. Employees are permitted to use all or a portion of paid sick leave, vacation, PTO, or other paid leave benefits in addition to receiving Paid Leave Oregon Insurance.

In any week in which an employee is eligible to receive time loss, workers' compensation, or unemployment benefits under ORS chapter 656 or 657, the employee is disqualified from receiving family and medical leave insurance benefits.

5. Notification of the Need for Leave

An employee is required to provide notice of the intent to take leave.

- 5.1.1. For planned events the employee is required to provide thirty (30) days written notice.
- 5.1.2. For unplanned events the employee is required to notify the employer within twenty-four (24) hours of the leave and provide written notice within three (3) days.
- 5.1.3. If an employee is incapacitated due to the unplanned event and are unable to meet these obligations, notify the City as soon as possible.

The employee needs to request PLO through Lincoln Financial. To initiate a new leave request use one of the following methods:

Website: MylincolnPortal.com. If this is your first-time logging in, use company code LF1073CIT.

Phone: (888) 408-7300.

Employees are also required to provide notification to their supervisor consistent with their departmental procedures.

6. Job and Benefit Protection While on Leave

If an employee has been employed with the employer for at least ninety (90) days prior to the leave, the employee will be restored to the same position upon their return if the same position exists. If the same position no longer exists, the employee will be returned to a position equal to their previous position before taking leave, with equal employment benefits, pay and other terms and conditions.

If, at the time of leave, the employee is receiving health benefits these will be maintained. Employees are required to pay their share of health premiums while on leave.

7. Complaint Procedure

The City strives to solve all concerns at the lowest possible level. We encourage all employees to bring complaints to Human Resources promptly and in writing.

We understand employees may choose to seek outside assistance to resolve complaints regarding this coverage. Employees may contact the Oregon Bureau of Labor and Industries to file a complaint or may contact an attorney of their choice to determine if a civil action may be appropriate.

DEFINITIONS:

1. **“Alternate base year”** is the last four completed calendar quarters before your benefits start. Paid Leave only uses the alternate base year if you did not have \$1,000 of wages in the base year.
2. **“Base year”** is the first four of the last five completed calendar quarters before your benefits start.
3. **“Calendar quarter”** is a three-month period ending March 31 (quarter 1), June 30 (quarter 2), Sept. 30 (quarter 3) or Dec. 31 (quarter 4).
4. **“Family members include”** are defined as spouses and domestic partners, children, parents, siblings or stepsiblings, grandparents, grandchildren, and any individual related by blood or affinity, whose relationship is equivalent to family.
5. **“Regular Rate of Pay”** means the compensation an employee normally earns for the work they perform.
6. **“A serious health condition”** is an illness, injury, impairment, or physical or mental condition that: requires inpatient care, poses an imminent danger of death or possibility of death in the near future, requires constant or continuing care, involves a period of incapacity, involves multiple treatments, or involves a period of disability due to pregnancy.

RESOURCES:

Administrative Regulations:

1. [Family Medical Leave](#)
2. [Oregon Sick Time Leave](#)
3. [Crime Victims Leave](#)
4. [Compassionate Leave](#)

Leave Requests:

1. [MyLincoln Portal](#): If this is your first time logging in you'll need the company code, **LF1073CIT**. Follow the guided steps, beginning with **Start a claim or leave**.

Website Resource

1. [City's Protected Leave Springboard Page.](#)
2. [Paid Leave Oregon](#)
3. [Oregon Bureau of Labor & Industries](#)