



December 9, 2021

Anne Friend, Rules Coordinator
Oregon Employment Department
875 Union St. NE
Salem, OR 97311

Delivery via E-Mail

Ms. Friend,

Thank you for the opportunity to provide comments on the Paid Family Medical Leave Insurance (PFMLI) program draft rules. The Bend Chamber of Commerce represents over 1,300 small and medium sized business in Bend and throughout Central Oregon. Our organization understands the importance of the state's PFMLI law. We believe the new program will have significant benefits for Oregonians and aid in employee retention, especially important in this difficult labor market.

That said, we do have concerns with several aspects of the draft rules, particularly the rules pertaining to small businesses. We appreciate the Oregon Employment Department's (OED) efforts to promulgate rules that reflect legislative intent, however we feel the draft rules miss the mark in several areas.

- 1. Employee Count Criteria:** We have concerns with the methodology for determining employees counts, specifically the inclusion of out of state employees in the total count. While we do not have the same cross border issues that the Portland metro area does, we do have local employers that would be impacted by this methodology. Given that out of state employees would not be eligible for the PFMLI benefits, they should not be included in the total head count.
- 2. Employee Count Timeline:** We also have concerns with the proposal to count employees on a quarterly basis, in lieu of the previously negotiated terms for an annual average count. Many of our local employers in Bend bring on additional seasonal employees or additional workforce for particular times of the year. The proposed rules will have a negative impact on these scenarios and mis-categorize these otherwise small employers.

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3. Assistance Grant Process: We were very supportive of the inclusion of a grant program to assist small employers with additional costs associated with an employee's use of PFML. However, both the process for applying for a grant, as well as the grant requirements are concerning. We feel the process is cumbersome and many small employers will not have the time and resources to apply for a grant. We suggest the application process be streamlined and offer flexibility for our smallest businesses, likely those that need the grants the most. We also have concerns with the requirement that employers pay contributions for eight quarters, as that cost far exceeds the benefit of a small grant.

Again, thank you for the opportunity to share our organization's comments, and we urge the OED to consider them when promulgating the final rules for the PFML program.

Best regards,

A handwritten signature in black ink, appearing to read "Katy Brooks", is positioned to the left of a vertical line.

Katy Brooks
President + CEO
Bend Chamber of Commerce

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