

Oregon Paid Family and Medical Leave (OR PFML)

An employee guide

GROUP BENEFITS

2023
employee guide

Paid family and medical leave is a mandatory program in Oregon.

This guide includes helpful information about what paid family and medical leave is, who is eligible, and how it coordinates with other leave plans.



Table of contents

The basics: What is OR PFML?	3
Eligibility: Am I eligible for paid family and medical leave?	5
Benefits: How do these benefits work?	6
Coordination: How does OR PFML coordinate with other programs?	8
Cost: How much does OR PFML cost?	12
Claims process: How do I submit a claim?	13
Assistance: Who do you contact?	15

The basics: What is OR PFML?

Oregon Family and Medical Leave Insurance (OR FMLI), otherwise known as Oregon paid family and medical leave (OR PFML), is a statewide program that allows eligible employees to take paid time off for medical, family, or safe leave.



Medical leave

 **Recover from a serious health condition or injury.**

What is a qualifying event?	Your own serious health condition, illness, or injury that causes you to be unable to work.
What counts as a serious health condition?	A serious health condition means an illness, injury, impairment, or physical or mental condition that <ul style="list-style-type: none">▪ Requires inpatient care or continuing care▪ Poses an imminent danger of death▪ Involves a period of incapacity, multiple treatments, or disability due to pregnancy

Family leave



Bond with a child following a birth, adoption, or foster placement.

What is a qualifying event?	Bonding with your new child after a birth, adoption, or foster care placement, beginning on the date of placement
When does leave have to be taken?	Must be completed within 12 months of birth or placement via adoption or foster care



Provide care for a family member with a serious health condition

What is a qualifying event?	You can take paid family leave to care for a family member with a serious health condition.
Who counts as a family member?	Any covered family member, as defined on page 5.
What counts as a serious health condition?	<p>An illness, injury, impairment, or physical or mental condition that</p> <ul style="list-style-type: none"> ▪ Requires inpatient care or continuing care ▪ Poses an imminent danger of death ▪ Involves a period of incapacity, multiple treatments, or disability due to pregnancy

Safe leave



Safe leave is taken for reasons covered under Oregon's domestic violence leave law.

What is a qualifying event?	The qualifying event can be if you or your minor child is the victim of domestic violence. An adult child may still qualify if the child is a dependent adult with a physical or mental disability that limits their ability to live independently.
Why may leave be taken?	<p>When you or your child dependent needs to seek the following services, related to domestic violence, sexual assault, harassment, or stalking:</p> <ul style="list-style-type: none"> ▪ Legal or law enforcement assistance such as a protective order or other civil or criminal legal proceedings ▪ Medical treatment or recovery from injuries ▪ Counseling from a licensed mental health professional ▪ Services from a victim services provider ▪ Relocating or taking steps to secure an existing home to ensure health and safety

Definition of family member

- Spouse
- Domestic partner
- Child – child relationships include biological, adoptive, stepchild, spouse or domestic partner's child, foster, legal guardian, and a person who stood in loco parentis
- Child's spouse or domestic partner
- Parent – parent relationships include biological, adoptive, stepparent, foster, legal guardian, a person who stood in loco parentis, parent-in-law, parent's domestic partner, and domestic partner's parent
- Sibling – sibling relationships include stepsibling, sibling's spouse, or domestic partner
- Grandparent – grandparent relationships include grandparent's spouse or domestic partner
- Grandchild – grandchild relationships include grandchild's spouse or domestic partner
- Individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship

Eligibility: Am I eligible for OR PFML?

You're eligible if you've earned at least \$1,000 in wages as an Oregon employee during the base year or the alternate base year. A base year includes the first four of the last five completed calendar quarters preceding the benefit year; an alternate base year is the last four completed calendar quarters preceding the benefit year.



Benefits: How do OR PFML benefits work?

What is the coverage amount?

You may take up to 12 weeks for any combination of family, medical, or safe leave over a 12-month period. An employee with pregnancy or childbirth limitations may qualify for an additional two weeks of paid leave.

Waiting period for benefits

All leave reasons have a zero-day waiting period. You still need to satisfy all eligibility requirements before benefits begin.

Calculating your weekly benefit amount

The program has a two-tiered benefit calculation.

- If you have an average weekly wage (AWW) below or equal to 65% of the state's average weekly wage (SAWW), you'll receive 100% of your AWW. This amount won't be less than the minimum weekly benefit amount.
- If you have an AWW over 65% of the SAWW, you'll receive 65% of the SAWW, plus 50% of your wages that exceed 65% of the SAWW. This amount won't exceed the maximum weekly benefit.

What is the maximum benefit amount?

The maximum weekly benefit is capped at 120% of the SAWW, and the minimum weekly benefit amount is 5% of the SAWW.

The SAWW for July 1, 2023, through June 30, 2024, is \$1,269.69 for a maximum weekly benefit of \$1,523.63 and a minimum weekly benefit of \$63.48.

Example benefit calculation

The employee in this example earns an AWW of \$1,000. Because the employee earns more than 65% of SAWW, here's how the benefit would be calculated:

1	65% of SAWW =	\$825.30 =	\$825.30
2	Employee's AWW minus step 1 =	\$1,000 - \$825.30 =	\$174.70
3	50% of step 2 =	\$174.70 x 0.50 =	\$87.35
4	Step 1 plus step 3 =	\$825.30 + \$87.35 =	\$912.65
Weekly benefit payment			\$912.65

Is intermittent leave an option?

Yes. You may take leave on an intermittent or reduced schedule basis. Intermittent leave must be taken in work day or work week increments.

Does OR PFML offer job protection?

Yes. OR PFML is a job-protected program if you have worked for 90 consecutive dates with your current employer. In addition, the Oregon Family Leave Act (OFLA) is an existing leave law that generally requires certain private-sector employers to provide job-protected unpaid leave to employees for various reasons related to their health or a family member's health. OR PFML benefits must be taken concurrently with OFLA and federal FMLA, where applicable.

Will my health insurance be continued?

Your employer must continue health coverage during a paid leave as long as you continue to make required healthcare premium contributions.

What if I have multiple jobs?

You may have simultaneous coverage when you have multiple employers and at least one of them offers OR PFML benefits through an equivalent plan. If and when you go out on leave, you must apply separately under each of your plans. Each plan will pay a prorated benefit amount based on the average number of work days you work per week for that particular employer.

Coordination: How does OR PFML coordinate with other programs?

How does OR PFML work with short-term disability (STD) benefits?

OR PFML and STD both provide paid leave benefits for eligible employees but differ in a few key ways:

OR PFML	STD
A mandatory benefit for most Oregon employees	An employer-sponsored benefit that your company may choose to provide
Can be taken on either a continuous or intermittent basis	Typically requires a continuous period of disability
Zero-day waiting period for benefits	Waiting periods differ depending on an employer's plan
Provides benefits to care for a personal injury or illness; care for a serious ill family member; bond with a newborn, adopted, or foster; child, and for reasons covered under Oregon's domestic violence law	Provides benefits for an employee's own disability

Both programs provide benefits for leave reasons such as an employee's injury, illness, or pregnancy. However, criteria to qualify for these benefits vary. This difference may result in scenarios in which your health event may qualify for benefits under one program but not the other.



An offset will be applied to your STD claim when you qualify for both STD and OR PFML.

Does OR PFML coordinate with company-paid leave?

If your employer offers a company-paid leave program that provides coverage for leave reasons similar to OR PFML, benefits under your employer’s program and OR PFML will coordinate in accordance with your policy. You must meet eligibility requirements under each program independently, and, at times, you may be eligible for one program and not the other.

Do OR PFML and FMLA coordinate?

FMLA and OR PFML are distinct programs with differing eligibility requirements. Qualification for one program is not contingent upon or tied to qualification for the other. However, because these programs are similar, your leave may qualify for both FMLA and OR PFML at the same time. When this happens, you’ll use available FMLA and OR PFML concurrently for that period. Here are a few distinctions for these programs:

OR PFML	FMLA
✓ Is a paid benefit	✗ Is not a paid benefit
✓ Provides job protection (if you’ve worked at least 90 days)	✓ Provides job protection
✓ Applies to most private employers with one or more employees in Oregon	✓ Applies to all public and private employers with 50 or more employees
✓ Employees are eligible for benefits if they earned at least \$1,000 in wages during the base year or the alternate base year.	✓ Employees are eligible for benefits after 12 months of employment with their employer, provided: <ul style="list-style-type: none"> ▪ They worked 1,250 or more hours in the 52-week period preceding their leave. ▪ They work in a location with 50 or more employees within a 75-mile radius of their worksite at the time a leave is requested.
✓ Employees are entitled to 12 weeks of leave over a 12-month period, with two additional weeks for pregnancy or childbirth limitations.	✓ Employees are entitled to 12 weeks of leave, excluding care of a covered service member, which is eligible for up to 26 weeks of leave.
✓ Leave may be taken on a continuous or intermittent basis; the minimum increment is one workday.	✓ Leave may be taken on a continuous or intermittent basis, and the employer determines the allowable minimum increment of time.



While it’s likely that your leaves may qualify for both OR PFML and FMLA, eligibility under each program will be assessed independently.

Are OR PFML and OFLA part of the same program?

OR PFML and OFLA are independent programs with differing eligibility requirements.

You may be eligible for OR PFML if you've earned at least \$1,000 in wages during the base year or the alternate base year. For OFLA, you're eligible for other leave reasons when you've been on the job for 180 days and average 25 hours a week during that period.

You're not required to qualify for one to qualify for the other. However, because these programs are similar, your leave may qualify for both OR PFML and OFLA.

Here are a few other differences between these programs:

OR PFML	OFLA
✓ Is a paid benefit	✗ Is not a paid benefit
✓ Provides job protection (if the employee has worked at least 90 days)	✓ Provides job protection
✓ Applies to most private employers with one or more employees in Oregon	✓ Applies to most private employers with 25 or more employees in Oregon
✓ Employees are eligible for benefits if they earned at least \$1,000 in wages during the base year or the alternate base year.	✓ Employees are eligible if they've been on the job for 180 days and average 25 hours a week during that period.
✓ Employees are entitled to 12 weeks of leave over a 12-month period, with two additional weeks for pregnancy or childbirth limitations.	<p>✓ Employees are entitled up to 12 weeks of leave over a 12-month period; certain leave reasons may provide more than 12 weeks. Bereavement leave is only two weeks.</p> <p>If all 12 weeks are used on parental leave (birth, adoption, or foster placement), the employee is entitled to an additional 12 weeks of sick child leave if needed.</p> <p>Employees are entitled to an additional 12 weeks of pregnancy disability leave for a disability related to pregnancy or childbirth, occurring before, during or after the birth of the child, or for prenatal care.</p>

How do accrued PTO and vacation work with OR PFML?

The employer cannot require you to exhaust accrued leave, and Lincoln’s top-up allowance does not obligate an employer to allow you to use partial accrued leave alongside OR PFML. You may be able to use paid time off or vacation time to help supplement OR PFML, but employers are not obligated to let you use time this way.

Side-by-side overview of leave plans

Plan	OR PFML	OFLA	FMLA	STD
Eligibility	Employees of Oregon private employers	Employees of Oregon private employers with 25 or more employees	Employees of private employers with 50+ employees	U.S. employees of employers that offer the plan
Purpose	<ul style="list-style-type: none"> ▪ Employee’s own serious health condition ▪ Bond with a newborn, adopted, or foster child ▪ Care for a family member with a serious health condition ▪ For leave reasons covered under Oregon’s domestic violence law 	<ul style="list-style-type: none"> ▪ Employee’s own serious health condition ▪ Bond with a newborn, adopted, or foster child ▪ Pregnancy disability or prenatal care ▪ Care of a sick child who does not have a serious health condition, but requires home care ▪ Attend to family matters following call to active duty ▪ Bereavement leave due to a death of a family member 	<ul style="list-style-type: none"> ▪ Care for a personal injury or illness ▪ Care for a seriously ill family member ▪ Bond with a newborn, adopted, or foster child ▪ Attend to family matters following call to active duty ▪ Care for a covered service member 	<ul style="list-style-type: none"> ▪ Employee’s own disability
Benefits	Paid and job protection*	Unpaid job protection	Unpaid job protection	Paid
Duration	Up to 12 weeks, with an additional two weeks for pregnancy and childbirth limitations	Up to 12 weeks in a 12-month period. Certain leave reasons may provide more than 12 weeks. Bereavement leave is only 2 weeks.	12 or 26 weeks in a 12-month period	Typically, up to 13 or 26 weeks, depending on the employer’s plan

* Employees must have worked 90 days for current employer.

Putting it all together

Here is an example of how OR PFML could coordinate with other leave plans following the birth of a child:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
OR PFML ¹																		
EP ²		STD ³																
OFLA ⁴																		
FMLA																		

¹ Up to 14 weeks for pregnancy or childbirth limitations

² EP = Elimination period

³ Up to eight weeks with a caesarean section

⁴ OFLA and OR PFML must run concurrently if leave reasons qualify under both programs.

Cost: How much does OR PFML cost?

You're typically required to contribute toward the cost of OR PFML. Your employer will notify you of your financial responsibility.



Claims process: How do I submit a claim?

Providing notice to your employer

If you plan to take a qualified paid leave, you're expected to provide notice to your employer at least 30 days in advance for foreseeable events or as soon as possible for unforeseen leaves.

Reporting a claim to Lincoln

You can submit your OR PFML claim by:

1 Web or mobile device.

- Visit **MyLincolnPortal.com**.
- Select **Register** under **New Users**.
- On the create an account webpage, enter the company code Veolia and click **Validate**.
- Enter your personal information in the corresponding fields.
- Create a username and password by entering the required information, then click **Register**.
- Review the web agreement and, if you agree, click **Accept** to complete your registration. You must accept to register successfully.
- From the home screen, click **Start a Claim or Leave** and follow the prompts to start your claim.

We'll assign a claims specialist within one business day of receipt to review the claim. You, or your employer, will be contacted to gather required certification or additional information if needed. The claims specialist will also assess concurrent STD claims, if applicable.

2 By phone.

Employees can submit paid family and medical claims by contacting Lincoln at **844-247-4446**. They'll need to have the following information ready:

- Personal information: name, Social Security number, birthdate, address, contact information
- Employer information: employer name, policy number
- Leave information: reason for leave, estimated date of leave




What happens next

Once a claim has been received, we'll assign a claims specialist who'll review the claim and contact you to gather additional information and discuss the required certification or documentation needed. Your claims specialist will also assess claims you may have submitted for STD. If you'd like to take family leave for bonding immediately after a medical leave for maternity concludes, your claims specialist can gather necessary information over the phone to initiate a bonding claim on your behalf.

If you're approved for an intermittent leave claim, you'll be responsible for reporting your time to Lincoln. If we administer your company's FMLA program, you should report intermittent time through your employer's standard process. If Lincoln does not administer your company's FMLA program, you should submit an intermittent time sheet or contact your claims specialist by telephone. Intermittent time should be reported as it's taken.

MAKE YOUR CLAIM EXPERIENCE AS **EASY** AS POSSIBLE



What happens after the claims submission?

[Watch this video as we walk you through each step.](#)

Assistance: Who do you contact?

Claim submission Submission of OR PFML and STD claim forms, medical records, and documentation.	Email: SCU@LFG.com Phone: 844-247-4446 Fax: 603-334-0401 Mail: The Lincoln National Life Insurance Company Disability and Life Claims PO Box 2578 Omaha, NE 68172-9688 Web: MyLincolnPortal.com
Claims inquiries Claims status and general claims questions:	<ul style="list-style-type: none">Once your claim is submitted and assigned to a claims specialist, contact your claims specialist for information on your claim.You may also log in to MyLincolnPortal.com for claim status.

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