



## Open Government Impact Statement

80th Oregon Legislative Assembly  
2019 Regular Session

## Measure: HB 3031

Only impacts on Original or Engrossed  
Versions are Considered Official

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### SUMMARY

Creates family and medical leave insurance program to provide employee who is eligible for coverage with portion of wages while employee is on family and medical leave or military family leave. Requires employer and employee contributions to fund program. Allows self-employed individuals and tribal government employers to opt into program. Directs Director of Department of Consumer and Business Services to determine contribution amounts and weekly benefit amounts. Establishes Family and Medical Leave Insurance Fund and continuously appropriates moneys in fund to Department of Consumer and Business Services for purposes of Act.

Protects eligible employee's position of employment with employer while employee is on leave if employee has been employed with employer for minimum of 90 days before commencing leave. Prohibits employer from retaliating against employee who invokes program and from interfering with employee rights under program. Establishes right of employee for civil action for certain employer violations.

Amends Oregon family leave law to allow for leave after employee has been employed for 90 days with employer and to extend length of leave taken for bereavement.

Directs department to administer collection of, and reporting requirements for, payroll contributions. Requires director to work with other agencies and promulgate rules for administration of program. Establishes requirements for director to submit initial report to interim committees of Legislative Assembly no later than September 15, 2021. Beginning September 15, 2022, requires director to report to committees on September 15 of every even-numbered year thereafter. Requires department to conduct study regarding implementation of program with regard to self-employed individuals and tribal governments opting into program.

Becomes operative on January 1, 2021. Provides that eligibility provisions and provisions related to elective coverage for self-employed individuals and tribal governments become operative on January 1, 2023.

Takes effect on 91st day following adjournment sine die.

### OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure all information in the records of the Department of Consumer and Business Services pertaining to the administration of the family and medical leave insurance program.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public would receive information regarding



how the department administers the family and medical leave insurance program. However, it could also cause the disclosure of records containing personal information of individuals who make benefit claims, the circumstances of a claim, wage reports files by employers and information related to premium payments.