

Paid Family and Medical Leave

Understanding Oregon Paid Family and Medical Leave (OR PFML)

Frequently asked questions

Oregon Paid Family and Medical Leave (OR PFML) provides most Oregon-based employees with job-protected, paid leave for a qualified family leave or medical leave event. Your employer is providing these benefits through a private plan administered by Symetra. To help you understand how these benefits work, we've prepared the following Q&A.

What is OR PFML?

OR PFML is designed to provide partial wage replacement when you take time off for any of the following qualifying events:

- **Family Leave:** To bond with a new child within the first 12 months after birth, adoption, or foster placement
- **Family Leave:** To care for a family member experiencing a serious health condition.
- **Medical Leave:** For your own serious health condition, with additional leave available for any limitations related to pregnancy, childbirth or a related medical condition, including but not limited to lactation.
- **Safe Leave:** 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.

Who qualifies as a family member under OR PFML?

Employees can take leave to care for a family member. Family members include 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. Family members also include the spouse's and domestic partner's children, parents, siblings or stepsiblings, grandparents and grandchildren.

Can I opt out of OR PFML?

You cannot opt out of OR PFML. All eligible employees must submit the required contributions even if they don't intend to use the leave benefit.

Who is eligible for OR PFML?

Generally, OR PFML coverage is available to all W-2 workers who work in Oregon for a covered employer, whether on a full-time, part-time, permanent, temporary, on-call, per-diem or seasonal basis. 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.
- Self-employed individuals or independent contractors.
- Workers must meet minimum financial eligibility requirements to be covered.

Who pays for this coverage?

OR PFML is typically funded by both you and your employer. Under the OR PFML law, employers are responsible for contributing a minimum of 0.40% of an employee's average weekly wages (AWW), up to Social Security wage cap.

Rates are subject to change annually. Contact your employee benefits representative for details on the rates for the OR PFML coverage under the private plan insured by Symetra. Your employer will handle the deductions, so you do not need to take any action.

Is there a waiting period before OR PFML benefits become payable?

No. There is no waiting period. Benefits are payable from the first day for all qualifying events.

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How much is the OR PFML benefit?

The OR PFML benefit is determined by the following calculation:

1. Multiply the portion of a covered individual's average weekly wage that is equal to or less than 65% of the state average weekly wage (SAWW) by 100%.
2. Multiply the portion of a covered individual's average weekly wage that is more than 65% of the SAWW by 50%.

The weekly OR PFML benefit is equal to this sum but is subject to a maximum weekly benefit amount of \$1,568.60 for leaves beginning July 7, 2024.

The maximum benefit amount and SAWW (which is \$1,307.17 from July 2024 to July 2025) may be adjusted annually by Paid Leave Oregon, a division of the State of Oregon Employment Department ("The Department"). Benefits are paid on a weekly basis.

What is the maximum duration of OR PFML leave I can receive in a benefit year?

The maximum leave duration available in a benefit year depends on the type of leave:

- **Medical Leave:** 12 weeks, with up to two additional weeks for complications due to pregnancy, childbirth, or a related medical condition, including but not limited to lactation (14 weeks total).
- **Family Leave:** 12 weeks.
- **Safe Leave** (leave for domestic violence, harassment, sexual assault or stalking): 12 weeks.
- **Combined maximum** for all periods of Medical, Family and Safe Leave in a benefit year: 12 weeks, plus up to an additional two weeks for complications due to pregnancy, childbirth, or a related medical condition, including but not limited to lactation (14 weeks total).

What are the time frames to provide notice and proof of an OR PFML claim?

You must provide your employer and Symetra notice of an intent to file a claim at least 30 calendar days in advance. If the leave is not foreseeable, you may start a leave without 30 calendar days advance notice, however, you must give oral notice to your employer within 24 hours of the commencement of the leave and must provide written notice to Symetra and your employer within three days after the commencement of leave. Claims may be delayed or denied if notice is not given. If it's not possible to provide notice of intent to file, written notice must be given as soon as reasonably practicable to do so.

Claim forms and other information needed to provide written proof of your claim for family and medical leave benefits should be filed within 30 calendar days prior to the start date of a leave, or up to 30 calendar days after the start of the leave. The 30-calendar-day limit may be extended if you show good cause for the delay in accordance with the OR PFML statute and regulations.

How will I file an OR PFML claim?

You can contact Symetra by calling us at **1-877-377-6773**, faxing your completed claim form to **1-877-737-3650** or going online at www.symetra.com/MyGO. To start the claims process, you will need to provide the following information:



- The policyholder's name.
- Identifying information (name, address, Social Security number, etc.).
- The reason for the leave and anticipated start date.
- For family leave, your relationship to the person you will be caring for while on leave.
- Whether your leave will be continuous or intermittent. If intermittent, the frequency and duration of your leave.
- Verification that you have notified your employer that you're requesting leave.

To provide proof of your claim and to expedite the claim decision process, you will be required to send us an OR PFML claim form with all fields completed (by both you and your employer, and a healthcare provider if the claim involves a serious health condition). You can find the OR PFML claim form at www.symetra.com/MyGO or you can request the claims form packet from your employer. Depending on the type of leave, you may also need to provide:

- A bonding certification form.
- A health care provider certification for your own medical leave or leave to care for a family member with a serious health condition.
- A Safe Leave certification form.

How does Symetra work with my employer throughout the claims filing process?

We'll request certain information from your employer (such as wage information, work history, previous leaves, etc.) to determine your eligibility and payment requirements. Within five business days after receiving notice of a claim, we'll contact you to facilitate the disclosure and exchange of information or records relevant to the claim if the application is incomplete.

If we request information, you must provide all relevant information or records needed to evaluate your claim within the following time frames:

- 14 calendar days from the date of the request for information, if by mail.
- 10 calendar days from the date of the request for information, if by telephone message, fax, email or other electronic means.

These time frames may be extended if you cannot provide a timely response for good cause.

As part of the filing process, you must give us written consent to share information with your employer and a health care provider, if applicable, in order to process and evaluate the claim.

When will OR PFML claims be paid?

We'll notify you of our claims decision within 14 calendar days after we receive the complete application for benefits. If we need more information to make a claims decision, we'll notify you of the need for additional information within five business days after receiving your completed application, as described above.

We'll typically begin making claim payments within seven calendar days of approving your completed application. If for some reason you aren't eligible for benefits until more than seven days after our approval of your completed application, we'll wait to begin payments until you are eligible.

For more information about OR PFML, please contact your employee benefits representative or visit the OR PFML website at www.paidleave.oregon.gov.

Our in-house experts are available for teleconferencing if you have any questions.

This information will be regularly updated as the state revises the PFML regulations and provides more guidance to private plan carriers. We'll provide ongoing communications as new information becomes available. For more information, please contact your Symetra account manager.



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