

Oregon Paid Family and Medical Leave

(OR PFML)

Updated as of September 2024

Table of Contents

- Oregon Paid Family and Medical Leave (OR PFML) Overview 2**
 - What is Oregon Paid Family and Medical Leave (OR PFML)?..... 2
 - Is my employer required to offer OR PFML benefits?..... 2
 - Is my employer required to use the state-run paid leave program?..... 2
 - Am I eligible for coverage?..... 2
 - What are the state benefits and what can I use them for?..... 2
 - What should I do if I am thinking of taking PFML? 3

- Benefit Calculation 3**
 - How much of a benefit can I receive?..... 3

- Filing for Benefits..... 3**
 - How do I file for benefits?..... 3
 - Coordination with other benefits..... 4
 - Can I qualify for more than one benefit? 4
 - If my employer has a private plan for parental leave that pays 100% salary for a designated number of weeks, how would MetLife coordinate the private plan with the OR PFML benefit? 5
 - Can my employer require me to use my earned sick or vacation time before using OR PFML? 5
 - If I take a private plan benefit at a different time, can my company be reimbursed benefits?..... 5

- Documentation Requirements..... 5**
 - What proof or supporting documentation is needed to support a claim? 5

- Coverage and Claims..... 6**
 - Who is a covered family member?..... 6
 - Can OR PFML be taken intermittently or on a reduced leave schedule? 6
 - Why does the law say I must give a 30-day advance notice of foreseeable leave?..... 6
 - What if my claim is denied?..... 6

- Additional OR PFML Benefit Details..... 6**
 - How is the program funded?..... 6
 - How does my employer calculate PFML contribution amounts due for each employee in 2024? 7

- General Tax Information..... 7**
 - Are benefits taxable? 7
 - Are taxes automatically withheld from benefits? 7

- Resources 8**

Oregon Paid Family and Medical Leave (OR PFML) Overview

What is Oregon Paid Family and Medical Leave (OR PFML)?

Oregon Paid Family and Medical Leave (OR PFML) is a paid leave program that offers wage replacement benefits if you are sick or hurt and cannot work. PFML applies to family-related or safe leave matters as well, such as bonding with a new child, caring for a family member who has a serious health condition or relocating because of situations related to domestic violence, sexual assault, harassment, stalking, or bias crimes.

Is my employer required to offer OR PFML benefits?

Yes, private employers are required to offer these benefits if they employ at least one employee.

Is my employer required to use the state-run paid leave program?

No. While private employers are required to offer OR PFML benefits, they may choose to apply for an exemption that allows them to offer equal or improved benefits through either private insurance or a self-funded program. These alternative options are called Equivalent Plans.





Am I eligible for coverage?

All full time, part-time, temporary, and seasonal employees working for a covered employer are eligible for benefits.

You must have earned at least \$1,000 from working in Oregon in the previous year. Individual employees are not able to opt out of the program. Independent contractors, self-employed workers, volunteers, work study program students, and federal/tribal government employees are several types of workers that are excluded. However, the self-employed, independent contractors, or tribal governments can choose to opt in to the state-run program.

What are the state benefits and what can I use them for?

You can receive part of your pay and may also be eligible for job protection if you need to take time off for certain reasons, such as:*

Paid Medical Leave	Safe Leave	Paid Family Leave	
 <p>Own Serious Health Condition Your own medical need (including organ or bone marrow donations and pregnancy)</p>	 <p>Family Violence When you, or a child dependent on you, experiences issues related to domestic violence, harassment, sexual assault, stalking, or bias crimes</p>	 <p>Child Bonding Including newborn, adoption, and foster placement</p>	 <p>Family Caregiver When a covered family member has a serious health condition</p>
Benefit Duration			
<p>Up to 12 weeks in a 12-month period. In the case of pregnancy, childbirth, or a related medical limitation, an extra 2 weeks is possible. No waiting period.</p>			
<p>The federal Family & Medical Leave Act (FMLA) should run concurrent with PFML when applicable. Employees who experience a pregnancy or childbirth-related limitation may receive two (2) additional paid weeks which are classified as medical leave.</p>			

What should I do if I am thinking of taking PFML?

Start by checking your employer’s benefits handbook or talking to Human Resources. They can tell you:

- How to apply for benefits
- How the leave works with other paid time off options such as sick pay or vacation time
- How it works with the other programs your employer offers that may overlap with OR PFML

Benefit Calculation

How much of a benefit can I receive?

Benefits are paid as a percentage of an employee’s average weekly wage (AWW). Employees earning less than \$849.66 per week can receive up to 100% of their AWW.



In 2024-2025, the most you can receive in a week is \$1,568.50.
The maximum weekly benefit is 120% of Oregon’s average weekly wage.*

Benefit Calculation

If your average weekly wage is equal or less than 65% of Oregon’s average weekly wage:

You can receive 100% of your average weekly pay.

If your average weekly wage is more than 65% of Oregon’s average weekly wage:

You can receive 65% of Oregon’s average weekly wage plus half of your average weekly pay that exceeds that amount, but no more than \$1,568.50 total.

*The state of Oregon’s average weekly wage is currently \$1,307.17 through June 2025.

Filing for Benefits

How do I file for benefits?

1 Notify your employer	2 Apply for benefits	3 Submit supporting documentation	4 Stay connected until you return to work
<ul style="list-style-type: none"> • Provide oral or written notice at least 30 days before your leave begins.* • Provide a 24-hour verbal notice followed by a written notice within 3 days if the leave is unexpected. 	<ul style="list-style-type: none"> • Contact the claim administrator within 30 days before or 30 days after your leave starts. • MetLife can accept claims via web, telephone, or paper claim. The method is dependent on your employer’s coverage plan. 	<ul style="list-style-type: none"> • Proof may be required before the claim decision can be made. • MetLife will make a claim decision within two weeks of receiving all information (or the first day of leave, whichever is later). 	<ul style="list-style-type: none"> • MetLife and your employer will need to have your anticipated return to work date scheduled or an intermittent leave plan on file to efficiently manage the claim.

*Your employer may require written notice, so check the employee handbook or talk with Human Resources to verify the process.

Coordination with other benefits

The federal Family & Medical Leave Act (FMLA) benefits can and should be taken at the same time when applicable. If you are experiencing a pregnancy, childbirth, or medically related limitation during your absence, you may receive 2 additional paid weeks for a maximum total of 14 weeks for OR PFML.

If your employer requires you to use OR PFML benefits and Short-Term or Long-Term Disability benefits at the same time, you should check the rules of your disability policy to find out who has to tell the policy's program administrator about the benefits you are receiving: you, your employer, or both. Your Short-Term or Long-Term Disability benefits may be adjusted if you are eligible for OR PFML benefits for the same leave reason.

Can I qualify for more than one benefit?

You may qualify for more than one benefit based on the reason for your leave. Some common events are:

Leave reason	OR Leaves			FMLA	Company	Other
	OR PML	OR PFL	OFLA			
You have complications due to pregnancy	Yes*	No	Yes*	Yes	Short-Term Disability (STD)	
You have a serious health condition requiring multiple days/weeks/months away from work	Yes*	No	No	Yes	STD-continuous or reduced leave schedules with partial disability No intermittent leave	Oregon Sick Leave
You are injured at work	No	No	No	Yes	No	Workers' Compensation
You are bonding with a newborn or fostering and/or adopting a child	No	Yes	No	Yes	Maybe (Parental/Bonding leave)	Oregon Sick Leave
You need to care for a family member (parent, child, or spouse) with a serious health condition	No	Yes*	Maybe; care for a child only*	Yes	Sick leave, PTO	Oregon Sick Leave
You need to care for other family members with a serious health condition: registered domestic partner, sibling, child-in-law, child of your registered domestic partner, grandparent, grandchild, parent, parent-in-law or parent of your registered domestic partner, or any individual whose close association with you is like family	No	Yes	No	No	Sick leave, PTO	Oregon Sick Leave
You are a former employee receiving unemployment and you have a qualifying event	No	No	No	No	No	Unemployment

*Starting July 1, 2024, OR PFML benefits and OFLA cannot be taken at the same time. It is your choice which program to use for your absence if you are eligible for both programs.

If my employer has a private plan for parental leave that pays 100% salary for a designated number of weeks, how would MetLife coordinate the private plan with the OR PFML benefit?

OR PFML is a wage replacement benefit. If you are not losing wages, the PFML benefits may begin after the company-paid leave ends. As part of MetLife's benefit coordination process, MetLife's claims team will reach out to you to coordinate dates of the company leave that directly overlap with the state leave (e.g., company's parental leave and PFL for child bonding).

Can my employer require me to use my earned sick or vacation time before using OR PFML?

No, your employer cannot require you to take other accrued benefits or company-provided leave before OR PFML. However, you have the right, per OR PFML law, to use other accrued benefits (e.g. paid sick time, vacation pay, or paid time off) at the same time as OR PFML for a combined total of up to 100% of your average weekly wage. If your employer allows it, combined benefits can be greater than 100% of your wages. Also, they can determine which accrued benefits can be used first if you have more than one type available.

If I take a private plan benefit at a different time, can my company be reimbursed benefits?

Yes, your employer can be reimbursed for OR PFML benefits if your employer's paid leave programs cover the same leave reasons.

Documentation Requirements

What proof or supporting documentation is needed to support a claim?

Each claim has its own requirements for supporting documentation, as listed below. If your claim requires paperwork from your doctor, be sure to submit the request to your doctor as soon as you can. The doctor's office may take two weeks or more to process your paperwork. In some cases, a statement confirming the relationship between you and the family member may also be requested.



For one's own serious health condition (when you are sick or hurt and cannot work for an extended period of time):

- Certification of a Serious Health Condition form filled out by you and your healthcare provider, or
- A doctor's note or Attending Physician Statement (APS) that includes the same information as the Certification of Serious Health Condition form



For child bonding with a newborn:

- A copy of the child's birth certificate, or
- A statement from the child's healthcare provider stating child's date of birth, or
- A statement from the mother's healthcare provider stating child's date of birth



For child bonding for adoption or foster care placement:

- A copy of court documents finalizing the adoption, or
- Documentation from the child's healthcare provider, or
- Foster/adoption agency paperwork containing adoption or placement

If you are not the parent named in the court documents (in loco parentis), you may also be asked to provide proof verifying your relationship to the in loco parentis named in the court documentation. This could be a marriage certificate, civil union papers, or something showing you are in a domestic partnership.



For Safe Leave (when you, or children dependent on you, are experiencing safety issues caused by domestic violence, harassment, sexual assault, bias crimes, or stalking):

- Documents for a civil or criminal proceeding relating to family violence
- Other documentation to support your claim such as proof of care from a victim service organization or relocation due to safety
- Signed written statement from you certifying that you are taking leave for one of the following reasons:
 - To obtain services from a victim services organization,
 - To relocate due to such family violence, or
 - To participate in any civil or criminal proceedings related to or resulting from such family violence



For leave to care for a family member with a serious health condition (including medical events related to pregnancy or childbirth), you must provide ONE of the following:

- Certification of a Serious Health Condition form filled out by you and your family member's healthcare provider, or
- A doctor's note or APS that includes the same information as the Certification of Serious Health Condition form

Coverage and Claims

Who is a covered family member?

A covered family member can be your spouse, registered domestic partner, sibling, child, child-in-law, child of your registered domestic partner, grandparent, grandchild, parent, parent-in-law or parent of your domestic partner, or any individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

Can OR PFML be taken intermittently or on a reduced leave schedule?

Yes, OR PFML may be taken intermittently or on a reduced leave schedule, depending on the qualifying event, but you may need proof of the need for intermittent leave. The minimum time increment that can be taken is one workday.

Why does the law say I must give a 30-day advance notice of foreseeable leave?

The 30-day advance notice requirement requires you to alert your supervisor/employer that you will be absent because this can help with coordinating staffing and back-up training to cover for you while you are out on leave. Notice can be given verbally or in writing, but an employer can require written notice only. You can talk to your supervisor or Human Resources to understand your employer's requirements.

What if my claim is denied?

If your claim has been denied, you can reach out to MetLife to have the claim reconsidered, especially if you have new information to support your claim. If after a second review your claim is still denied, you may file an appeal with the state. Appeal filing instructions can be found in the claim denial letter you received.

Additional OR PFML Details

How is the program funded?

The 2024 contribution rate is 1% of an employee's wages and is funded by both employer and employee contributions.

- Employees pay 60% of the contributions.
- Employers with more than 25 total employees pay 40% of the contributions.
- Employers with less than 25 total employees (in and outside of Oregon) are not required to submit the employer contribution.

How does my employer calculate PFML contribution amounts due for each employee in 2024?

The state of Oregon updates their wage cap and deduction rates annually, which determine the premium amounts owed if your employer is using the state-run program.

In the 2024 calendar year, the total contribution rate is 1% of an employee's wages.

Examples	Employee A	Employee B	Employee C
Annual Salary	45,000	\$75,000	\$168,600
Total Contribution Rate For 2024 = 1% Of Employee Wages	60% employee 40% employer	60% employee 40% employer	60% employee 40% employer
Total Annual Premium	\$450	\$750	\$1,686
Employers Pay*	\$180	\$300	\$674.40
Employees Pay	\$270	\$450	\$1,011.60
Weekly Payroll Deduction	\$5.19	\$8.65	\$19.45
The state will collect the contributions quarterly in arrears. It is possible for equivalent plan contributions to be aligned to the billing frequency of other MetLife coverages for certain markets.			

*Employers with fewer than 25 total employees who are using the state program may be eligible to receive assistance grants if they pay the employer contribution. Grants are not applicable to an equivalent plan.

General Tax Information

Are benefits taxable?

Benefits received from the Paid Leave Oregon program generally are taxable. Family and safe leave benefits are fully taxable. Paid Family Leave (PFL) plans are not subject to FICA. Federal and state income taxes are voluntary taxes. MetLife claimants will receive a 1099-MISC tax document when benefits are paid directly to the claimant. It will be sent directly by MetLife.

Medical leave benefits are taxable based on the ratio of employer contributions to total employer and employee contributions. Taxable Paid Medical Leave (PML) plans are subject to FICA. Federal and state income taxes are voluntary taxes. When requested by the employer, MetLife claimants will receive a W-2 tax document when benefits are paid directly to the claimant. It will be sent by MetLife or the claimant's employer.

Are taxes automatically withheld from benefits?

PFL: No, as PFL plans are not subject to FICA. Federal and state income taxes are voluntary tax withholdings done at the request of the claimant. Federal and state income taxes will not automatically be withheld from benefits. You need to submit a W-4S tax form to the claims team for taxes to be withheld.

PML: FICA will automatically be withheld from fully insured plans.

Benefit Contributions: Oregon Paid Medical Leave contributions made by the employee are paid post-tax and should not be included in wages subject to Oregon tax withholding. Taxable wages should be reported on an IRS Form W-2.

Resources



Need more information, visit:

The MetLife PFML [website](#) regarding state-mandated benefits.

For OR State PFML resources, please [click here](#).

For details regarding your coverage, contact your MetLife Representative.

The information presented in this brochure is not legal advice and should not be relied upon or construed as legal advice. It is not permissible for MetLife or its employees or agents to give legal advice. The information in this brochure is for general informational purposes only and does not purport to be complete or to cover every situation. You must consult with your own legal advisors to determine how these laws will affect you. Like most insurance policies, insurance policies offered by MetLife and its affiliates contain certain exclusions, exceptions, waiting periods, reductions, limitations, and terms for keeping them in force. Please contact MetLife or your plan administrator for complete details.

Further, the information in this brochure does not reflect MetLife's or any particular employer's internal policies or the benefits available to its employees. All employees, regardless of employer, should consult with their own Human Resources benefits manager, or visit their Human Resources website for information on the benefits available to them.

[metlife.com](https://www.metlife.com)

