

BENCO Personnel Manual

PAID LEAVE OREGON (PLO)

Paid Leave Oregon provides employees in Oregon paid leave for qualifying Family Leave, Medical Leave, and Safe Leave. Benco has an equivalent plan through MetLife that employees will use when they need to apply for this benefit.

PAID LEAVE OREGON ELIGIBILITY

To be eligible for Paid Leave Oregon, an employee must work in Oregon and have earned at least \$1,000 from any Oregon employer within the last 12 months.

If the employee has worked for Benco for at least 90 consecutive days prior to receiving Paid Leave Oregon benefits, Benco will:

- Protect the employee's job while they are on PLO, holding their position and hours through the expected date of return.
- Continue employee health care benefits they had prior to taking leave.
- Any employee retirement plans will remain active. If an employee does not receive a paycheck from Benco at any point during their leave, their elective contributions will be placed on hold.

QUALIFYING REASONS FOR LEAVE

Family Leave: Family leave is paid time off for any of the following:

- Caring for and bonding with a child in the first year after:
 - Birth
 - Adoption
 - Placement in your home through foster care
- To care for a family member with a serious health condition.
- A family member is defined as any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

Medical Leave: for an employee's own serious health condition.

- Serious health condition is an illness, injury, or physical or mental condition that:
 - Requires inpatient care;
 - Poses an imminent danger of death or possibility of death in the near future;
 - Requires constant or continuing care;

- Involves a period of incapacity;
- Involves multiple treatments;
- Involves a period of disability due to pregnancy

Safe Leave: To care for yourself or your child if you or your child are survivors of:

- Sexual assault
- Domestic violence
- Harassment
- Stalking

STEPS FOR RECEIVING PAID LEAVE OREGON BENEFITS

Notice to Benco for use of Paid Leave Oregon

- **30-day notice:** If an employee knows they will need to use Paid Leave, the employee must inform their immediate supervisor at least **30 calendar days** prior to starting their leave. The employee is expected to fill out a Benco Employee Leave Request form and indicate the type of Paid Leave (family, medical, or safe leave), why they need to take the leave (for a covered event), the date leave will begin, and duration of the leave. If an employee is unsure of the length of time, they can estimate the amount of time they will need to take.
- **24-hour emergency notice:** In an emergency, the employee must provide verbal notice to their immediate supervisor within 24 hours of starting the leave. The employee must complete a Benco Employee Leave Request form as directed above. The employee must give written notice to the Personnel Director within 3 days of starting their leave.

Any health information related to family, medical or safe leave that the employee chooses to share with Benco or MetLife is confidential and can only be released with the employee's permission, unless the release is required by law.

If the employee does not give Benco 30-day notice prior to starting their leave, MetLife may reduce the employee's first weekly benefit by 25%.

Required Documents

Family Leave: At least one of the following will be required upon submission of application to MetLife:

- A copy of the child's birth certificate
- Hospital admission form
- Copy of court order or letter from placement agency

- Proof of your family member's serious health condition from a health care provider that includes a brief description of the condition and the dates it started and ended.
- Certification of a Serious Health Condition filled out by the employee and their healthcare provider as part of MetLife's Paid Family & Medical Leave Certification Form. It can take two weeks or more for the doctor's office to process this paperwork, so the employee should be sure to submit it to them as soon as possible.
- Please note: In some cases, a statement confirming the relationship between the covered employee and the family member may also be requested.

Medical Leave: At least one of the following will be required upon submission of application to MetLife:

- Certification of a Serious Health Condition filled out by the employee and their healthcare provider. It can take two weeks or more for the doctor's office to process this paperwork, so the employee should be sure to submit it to them as soon as possible; or
- A doctor's note or Attending Physician Statement (APS). Please make sure it includes the same information as the Certification of Serious Health Condition.

Safe Leave: At least one of the following will be required upon submission of application to Met-Life:

- 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 the employee certifying that the employee is 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.
- Other documents from an attorney, law enforcement officer, health care provider, licensed mental health professional or counselor, member of the clergy, or victim services provider.

Claims Processing

Benco employees will submit their claim directly with MetLife and will be notified by MetLife of claim approval or denial.

If an employee's application is denied, they can appeal the decision with MetLife and the Oregon Employment Department.

Leave Amount

Every covered employee can take up to 12 weeks of paid leave in a benefit year.

A benefit year is a 52-week (one-year) period that begins on the Sunday before the day you start your leave. For example, if you start your leave claim on Monday, Oct. 2, 2023, your benefit year starts on Sunday, Oct. 1, 2023, and ends on Saturday, Sept. 28, 2024. You can claim up to 12 weeks of leave during this time frame.

Leave can be taken consecutively, non-consecutively, and intermittently during the benefit year.

When an employee qualifies for Paid Leave Oregon along with Family and Medical Leave Act they must take the leave simultaneously. Employees should refer to Benco's FMLA Policy for specific qualifications.

Benco Sick and Vacation Accrual and Paid Leave Oregon

A PLO qualifying event may fall under Benco's Unpaid Leave Policy. If this is the case, the employee will only receive PLO benefits through MetLife.

If an employee qualifies for Family and Medical Leave Act (FMLA) they may choose to use their Benco accrued sick & vacation time. PLO is different from FMLA because it will provide paid leave to individuals who need it who may not have sick or vacation accrual to use.

When an employee qualifies for FMLA and chooses to use their Benco accrued time, they will use their sick time first and then any additional vacation time. The employee can choose to use their accrued leave to top off their PLO benefit to receive 100% of their average weekly wage. The employee will decide in what order to use their accrued time.

Benefit Payment

When an employee is accepted for PLO, Paid Leave pays them a weekly benefit amount. The amount received is based on how much the employee earns and how much leave is needed to take in a week.

Benefits received from the Paid Leave Oregon program generally are taxable. MetLife may not withhold taxes from the employee's benefit payment. MetLife claimants will receive a 1099-MISC tax document if needed. 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. The contribution ratio will be evaluated annually.

Prohibition of discrimination and retaliation related to Paid Leave Oregon

It is unlawful for Benco to discriminate or retaliate against the employee because the employee asked about or claimed paid leave benefits. If Benco is not following the law, the employee has the right to bring a civil suit in court or to file a complaint with the Oregon Bureau of Labor and Industries (BOLI).

Approved By: Julie Hansen
Julie Hansen, Benco Board President

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