

# Your Employer's Paid Leave Equivalent Plan

## What You Need to Know

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Starting in September 2023, Paid Leave Oregon will serve most employees in Oregon by providing paid leave for the birth or adoption of a child, your or a loved one's serious illness or if you experience sexual assault, domestic violence, harassment, or stalking. Your employer has been approved to offer paid leave benefits through an equivalent plan. This means that your paid leave benefits will come from American Fidelity, your plan administrator.

### What benefits are provided through my employer's Equivalent Plan and who is eligible?

Employees in Oregon that have earned at least \$1,000 in the prior year may qualify for up to 12 weeks of paid family, medical or safe leave in a benefit year. While on leave, the equivalent plan will pay eligible employees a percentage of their wages. Benefit amounts depend on what the employee earned in the prior year.

### Who pays for the Equivalent Plan?

Employees contribute to their employer's Equivalent Plan through payroll taxes. Contributions are calculated as a percentage of wages and your employer will deduct your contribution from your paycheck. For employers using Paid Leave Oregon, payroll deductions begin in January 2023. Because your employer chose American Fidelity's Equivalent Plan, premiums begin in September 2023 instead. You will begin seeing deductions from your paychecks during the payroll period that corresponds with the due date for September 2023 premiums.

### When do I need to tell my employer about taking leave?

If your leave is foreseeable, you are required to give notice to your employer at least 30 days before starting paid family, medical or safe leave. If you do not give the required notice, your first weekly benefit may be reduced by 25%.

### How do I apply for paid leave under the Equivalent Plan?

In September 2023, you can apply for paid leave benefits under American Fidelity's Equivalent Plan at [americanfidelity.com](https://americanfidelity.com). Each eligible employee will be able to sign up for an online account to submit leave requests and track the status. You may also request a paper application online.

### How can I appeal my employer's decision?

If your application is denied, you will receive a written denial of benefits from American Fidelity explaining the reason for the denial of benefits and a description of your appeal rights. You can appeal the decision with American Fidelity by following the instructions on the written denial you receive.

### How do I dispute my employer's decision?

If the appeal does not resolve your disagreement with your employer, you can request support from Paid Leave Oregon for dispute resolution. Visit [paidleave.oregon.gov](https://paidleave.oregon.gov) or call 888-854-0166 for more information.

### What are my rights?

If you are eligible for paid leave, your employer cannot prevent you from taking it. Your job is protected while you take paid leave if you have worked for your employer for at least 90 consecutive calendar days. You will not lose your pension rights while on leave and your employer must keep giving you the same health benefits as when you are working.

### How is my information protected?

Any health information related to family leave, medical leave, or safe leave you choose to share with your employer is confidential and may not be released without your permission unless the release is required by law.

### What if I have questions about my rights?

It is unlawful for your employer to discriminate or retaliate against you because you asked about or claimed paid leave benefits. If your employer is not following the law, you have the right to bring a civil suit in court or to file a complaint with the Oregon Bureau of Labor & Industries (BOLI). You can file a complaint with BOLI online, via phone or email:

- [www.oregon.gov/boli](https://www.oregon.gov/boli)
- 971-245-3844
- [help@boli.oregon.gov](mailto:help@boli.oregon.gov)

### Learn more about your employer's Equivalent Plan.

Contact your Human Resources Department or your local American Fidelity account manager.