



WCD LC stakeholder feedback:

LC 390

Section 2(1) - “Coemploy” means for a PEO to assume **certain specifically allocated** employment responsibilities for a worker under an agreement with the PEO’s client for whom the worker performs services.

Section 2(5)a - “Professional employer organization” or “PEO” means a person that assumes **certain specifically allocated** employment responsibilities by contract for some or all of a client employer’s workers, regardless of the terminology the parties use to describe the relationship.

Section 3(5)(c)(A)(i) If the PEO is a carrier-insured employer, the client, **the director**, and the insurer. The insurer shall file notice of the termination with the director within 10 calendar days after the effective date of the termination or the date on which the insurer receives notice from the PEO, whichever is later.

Add -Define “Client” means an employer whose workforce consists in whole or in part of coemployees.

Add – Nothing in Section 2 of this Act creates an employment relationship between a professional employer organization and a coemployee for the purposes of any other law.

LC 394

Reword the language in subsection (1), (2) and update subsection (3)

Reword Subsection 1

(1) When a worker has been awarded compensation for permanent partial disability **and the total amount of the award does not exceed \$6,000, the insurer or the self-insured employer shall pay the total amount of the award to the worker in a lump sum payment.**

Add – Subsection (2)(a)(B) and (2)(b)(A)

(a) Subject to paragraph (b) of this subsection, when a worker has been awarded compensation for permanent partial disability, the total amount of the award exceeds

\$6,000, and the worker requests payment of all or part of the award in a lump sum payment, the insurer or self-insured employer shall make the payment requested if:

(A) The worker has waived the right to request reconsideration of the notice of closure;
or

(B) The award has become final by operation of law.

(b) The insurer or self-insured employer is not required to make the payment requested if:

(A) The insurer or self-insured employer timely requests reconsideration of the notice of closure under ORS 656.268 (5)(e), and the reconsideration proceeding has not yet been completed;

(B) Payment of compensation has been stayed pending a request for hearing or review under ORS 656.313; or

(C) The worker is enrolled and actively engaged in training according to rules adopted pursuant to ORS 656.340 and 656.726.

(3) Any unpaid balance of the award that is not paid in a lump sum payment shall be paid pursuant to ORS 656.216.

Move and reword subsection (3) to subsection (1)

(3) In all cases where the award for permanent partial disability does not exceed \$6,000, the insurer or the self-insured shall pay all of the award to the worker in a lump sum.

Increasing the amount of the PPD award from \$6,000 to \$TBD.