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## STATUTORY MINOR CORRECTION

**ED 38-2025**

CHAPTER 471

EMPLOYMENT DEPARTMENT

**FILED**

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ARCHIVES DIVISION  
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FILING CAPTION: Amending administrative rules through the Statutory Minor Correction process.

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Changing the name of a program, office or division within an agency as long as the change in name does not have a substantive effect on the functions of the program, office or division

AMEND: 471-070-1560

RULE TITLE: Benefits: Disqualification and Penalties for Claimant Misrepresentation

RULE SUMMARY: Statutory Minor Correction to update the name of the program.

RULE TEXT:

(1) In accordance with ORS 657B.332(3), it is unlawful for a claimant to willfully make a false statement or willfully fail to report a material fact in order to obtain Paid Leave Oregon benefits.

(2) If the director determines that a claimant has made a willful false statement or a willful failure to report a material fact in order to obtain Paid Leave Oregon benefits, then the claimant shall be:

(a) Disqualified from claiming benefits for a period of 52 consecutive weeks beginning from the date that the claimant made the willful false statement or willful failure to report the material fact;

(b) Assessed for any amount of benefits the claimant received to which the claimant was not entitled;

(c) Liable for a penalty under ORS 657B.332(3)(b); and

(d) Liable for interest under ORS 657B.332(8).

(3) When determining the rate of the penalty imposed under ORS 657B.332(3)(b), the department will review the number of occurrences of willful false statement or willful failures to report material facts. An occurrence shall be counted each time a claimant willfully makes a false statement or misrepresentation or willfully fails to report a material fact in order to obtain Paid Leave Oregon benefits. There could be multiple occurrences in a single application for benefits. The department shall use the date the claimant failed to report a material fact or willfully made a false statement or misrepresentation as the date of the occurrence. The penalty shall be imposed as follows:

(a) For the first occurrence, or the second occurrence within five years of any previous disqualification or imposition of a penalty, 15 percent of the total amount of benefits the claimant received to which the claimant was not entitled;

(b) For the third or fourth occurrence within five years of any previous disqualification or imposition of penalty, 20 percent of the total amount of benefits the claimant received to which the claimant was not entitled;

(c) For the fifth or sixth occurrence within five years of any previous disqualification or imposition of penalty, 25 percent of the total amount of benefits the claimant received to which the claimant was not entitled;

(d) For the seventh or greater occurrence within five years of any previous disqualification or imposition of penalty, 30

percent of the total amount of benefits the claimant received to which the claimant was not entitled;

(e) In cases of forgery or identity theft, 30 percent of the amount of benefits the claimant received to which the claimant was not entitled, regardless of the number of occurrences.

(4) Any amount subject to recovery and any penalty due under this rule, OAR 471-070-1510, and ORS 657B.332 may be collected by the director in a civil action against the claimant brought in the name of the director.

STATUTORY/OTHER AUTHORITY: ORS 657B.332, 657B.340

STATUTES/OTHER IMPLEMENTED: ORS 657B.332