

A-Engrossed
House Bill 3606

Ordered by the House February 12
Including House Amendments dated February 12

Sponsored by COMMITTEE ON ELECTIONS, ETHICS AND RULES (at the request of House Interim Committee on Workforce and Economic Development)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Authorizes Governor to waive required one-week waiting period for payment of unemployment benefits to persons residing in specified areas if Governor has declared state of emergency. **Becomes operative when federal law permits waiver without penalty.**

[Appropriates moneys to Employment Department for payment of unemployment benefits for one-week waiting period to certain persons residing in area specified by Governor that is covered by declaration of state of emergency.]

[Declares emergency, effective on passage.]

A BILL FOR AN ACT

1
2 Relating to payment of unemployment benefits during declared state of emergency; creating new
3 provisions; and amending ORS 657.155.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2008 Act is added to and made a part of ORS 401.015 to**
6 **401.107.**

7 **SECTION 2. If the Governor by proclamation has declared a state of emergency under**
8 **ORS 401.055, the Governor may waive the one-week waiting period required by ORS 657.155**
9 **for persons making a claim for unemployment benefits who reside within the geographical**
10 **area subject to the proclamation and specified by the Governor.**

11 **SECTION 3. ORS 657.155 is amended to read:**

12 657.155. (1) An unemployed individual shall be eligible to receive benefits with respect to any
13 week only if the Director of the Employment Department finds that:

14 (a) The individual has registered for work at and thereafter has continued to report at an em-
15 ployment office in accordance with such rules as the director may prescribe. However, the director
16 may, by rule, waive or alter either or both of the requirements of this subsection as to individuals
17 attached to regular jobs and as to such other types of cases or situations with respect to which the
18 director finds that compliance with such requirements would be oppressive, or would be inconsistent
19 with the purposes of this chapter; provided, that no such rule conflicts with ORS 657.255.

20 (b) The individual has made a claim for benefits with respect to such week in accordance with
21 ORS 657.260.

22 (c) The individual is able to work, is available for work, and is actively seeking and unable to
23 obtain suitable work. No individual participating in a community work and training program, as
24 defined in ORS 411.855, shall, solely by reason thereof, be unavailable for work within the meaning
25 of this section.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (d) The individual has been unemployed for a waiting period of one week, **unless the Governor**
2 **has waived the required waiting period as provided in section 2 of this 2008 Act.**

3 (e) The individual is not disqualified from benefits or ineligible for benefits under any other
4 section of this chapter.

5 (f) The individual is qualified for benefits under ORS 657.150.

6 (2) An individual who leaves the normal labor market area of the individual for the major por-
7 tion of any week is presumed to be unavailable for work within the meaning of this section. This
8 presumption may be overcome if the individual establishes to the satisfaction of the director that
9 the individual has conducted a bona fide search for work and has been reasonably accessible to
10 suitable work in the labor market area in which the individual spent the major portion of the week
11 to which the presumption applies.

12 (3) The director shall either promptly allow credit or pay benefits for any week for which ben-
13 efits are claimed or promptly give notice of denial thereof in the manner provided in ORS 657.267
14 and 657.268.

15 **SECTION 4. Sections 1 and 2 of this 2008 Act and the amendments to ORS 657.155 by**
16 **section 3 of this 2008 Act become operative when federal law permits without penalty a**
17 **waiver under section 2 of this 2008 Act of the one-week waiting period required by ORS**
18 **657.155.**