

Enrolled
House Bill 3606

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

CHAPTER

AN ACT

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

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

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

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

SECTION 3. ORS 657.155 is amended to read:

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

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

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

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

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

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

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

(2) An individual who leaves the normal labor market area of the individual for the major portion of any week is presumed to be unavailable for work within the meaning of this section. This presumption may be overcome if the individual establishes to the satisfaction of the director that the individual has conducted a bona fide search for work and has been reasonably accessible to

suitable work in the labor market area in which the individual spent the major portion of the week to which the presumption applies.

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

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

Passed by House February 14, 2008

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Chief Clerk of House

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Speaker of House

Passed by Senate February 21, 2008

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President of Senate

Received by Governor:

.....M,....., 2008

Approved:

.....M,....., 2008

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Governor

Filed in Office of Secretary of State:

.....M,....., 2008

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Secretary of State