

# House Bill 2778

Sponsored by Representative SMITH

## 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 **as introduced**.

Requires Employment Department to develop system that allows employers to report whether claimant for unemployment insurance benefits applied for work in appropriate manner. Allows department to use report when determining whether claimant is meeting requirement of actively seeking work. Allows claimant to respond to report before denial or disqualification based on report. Prohibits denial or disqualification if claimant's manner was unintentionally inappropriate.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

2 Relating to unemployment insurance; and declaring an emergency.

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

4       **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 657.**

5       **SECTION 2. (1) The Employment Department shall develop and maintain a system that**  
6       **allows employers to report whether the manner of a claimant for unemployment insurance**  
7       **benefits was inappropriate when the claimant applied for work.**

8       **(2) The department may use a credible report received pursuant to this section in de-**  
9       **termining whether a claimant for unemployment insurance benefits is actively seeking work,**  
10      **has failed to apply for available suitable work or is actively engaged in seeking work, for**  
11      **purposes of ORS 657.155 (1), 657.176 (2) or 657.325 (10), respectively.**

12      **(3) Before denying a claim under ORS 657.267 for a week to which a report received**  
13      **pursuant to this section refers or disqualifying a claimant who is the subject of a report re-**  
14      **ceived pursuant to this section, the department shall allow the claimant to respond to the**  
15      **report, if the report would be a factor in the denial or disqualification.**

16      **(4) If the department determines that a claimant's manner was inappropriate as reported**  
17      **but that the inappropriateness was unintentional:**

18       **(a) The claim may not be denied or the claimant may not be disqualified, as applicable,**  
19       **on the basis of the report; and**

20       **(b) The department shall provide the claimant with information related to the appropri-**  
21       **ate manner for seeking work.**

22      **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**  
23      **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
24      **on its passage.**

**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.