

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	6 - 0 - 0
Yeas:	Edwards, Girod, Monroe, Starr, Thomsen, Beyer
Nays:	0
Exc.:	0
Prepared By:	Patrick Brennan, Administrator
Meeting Dates:	2/20

WHAT THE MEASURE DOES: Authorizes the Oregon Employment Department to make public all decisions of the Employment Appeals Board. Applies retroactively. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Improves transparency
- Ability to access past Board decisions is beneficial for claimants and employers

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Legislative Assembly created the Employment Appeals Board (EAB) within the Oregon Employment Department in 1959 to review contested unemployment insurance claims decisions issued by the Office of Administrative Hearings (OAH). The Board consists of three members appointed by the Governor to four-year terms; it is supported by four legal staff and two clerical staff. The EAB issues between 2,000 and 2,500 decisions annually. Decisions of the Board may be appealed to the Court of Appeals.

During the period of 2007 to July 2013, the EAB published its decisions in a searchable format on its website. This publication ended when the Employment Department received legal advice that the publication of EAB decisions violated the statute that exempts most records of the Employment Department from disclosure under public records law. Access to EAB decisions has helped employers and employees understand their respective rights and obligations as they prepare to go before administrative law judges in the OAH or when filing applications for the EAB to review OAH decisions.