

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Business and Labor

MEASURE: HB 2439 A
CARRIER: Rep. Barreto

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 03/02/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 02/11, 02/18, 03/02

Vote:

Yeas: 10 - Barreto, Barton, Doherty, Evans, Fagan, Heard, Holvey, Kennemer, Nosse, Weidner

Exc: 1 - Esquivel

Prepared By: Jan Nordlund, Committee Administrator

WHAT THE MEASURE DOES:

Allows Employment Department to dismiss request for hearing with Office of Administrative Hearings under specified circumstances. Specifies that if Department dismisses a hearings request, party may request a hearing on the dismissal. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Criteria for dismissal remains unchanged

EFFECT OF COMMITTEE AMENDMENT:

Specifies that if Department dismisses a hearings request, party may request a hearing on the dismissal.

BACKGROUND:

A claimant for unemployment insurance benefits or a party to the claim can request a hearing before an administrative law judge at the Office of Administrative Hearings. Under existing statute, only the administrative law judge may dismiss such a request, and only under specified circumstances. House Bill 2439-A allows the Employment Department to dismiss a request for a hearing in the following four situations: 1) the request for a hearing is withdrawn by the requesting party; 2) issues are resolved by cancellation or amendment of the decision; 3) the request for a hearing is filed prior to the date of the written decision or written determination that is the subject of the request; or 4) the request was made by a party not entitled to such a request.