

STAFF MEASURE SUMMARY**House Committee On Business and Labor****Fiscal:** Fiscal impact issued**Revenue:** Revenue impact issued**Action Date:** 02/05/16**Action:** Do Pass And Be Referred To Ways And Means By Prior Reference**Meeting Dates:** 02/05**Vote:**

Yeas: 11 - Barreto, Barton, Doherty, Esquivel, Evans, Fagan, Heard, Holvey, Kennemer, Nosse, Weidner

Prepared By: Jan Nordlund, Committee Administrator

WHAT THE MEASURE DOES:

Provides temporary lockout benefits, equal to individual's most recent weekly unemployment benefits claim, for individual who is unemployed due to labor lockout. Caps temporary lockout benefit at 26 times the weekly benefit amount of individual's most recent unemployment benefit claim. Requires an employer to be charged for temporary lockout benefits in same manner regular benefits are charged. Allows payment for temporary lockout benefits to be made retroactively. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Difference between strike and lockout and the leverage each affords
- Specific situation at ATI in Albany
- How unemployment benefits compare to earned wages
- Legislation in 2007 allowing locked out workers to receive unemployment insurance benefits
- Frequency of lockouts

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Unemployment insurance (UI) benefits are generally allowed for up to 26 weeks. To receive benefits, one must be actively seeking and willing to accept employment. Individuals involved in a labor dispute are not eligible to receive unemployment benefits; however, there is an exception in ORS 657.200 (3) if the unemployment is due to a lockout. This exception was created in 2007.

Employees at a metals manufacturing facility in Albany are currently locked out of their jobs and have been since August 15, 2015. They are eligible to receive unemployment benefits for 26 weeks if they meet other qualifying criteria.

House Bill 4086 allows employees in a labor lockout to receive temporary lockout benefits after they exhaust their regular UI claim. The temporary benefits could be paid for 26 weeks and are retroactive if claimed within 60 days after the effective date. An escape clause is added in the event that the provisions of this Act fail to meet federal requirements.