

Enrolled
House Bill 4086

Sponsored by Representative RAYFIELD, Senator GELSER, Representative OLSON, Senator DEVLIN; Representatives BARKER, BARNHART, DOHERTY, EVANS, GILLIAM, HOLVEY, HOYLE, LIVELY, NOSSE, PILUSO, VEGA PEDERSON, WITT, Senators JOHNSON, ROSENBAUM (Presession filed.)

CHAPTER

AN ACT

Relating to unemployment benefits of individuals who are unemployed due to lockouts; and declaring an emergency.

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

SECTION 1. Section 2 of this 2016 Act is added to and made a part of ORS chapter 657.

SECTION 2. (1) As used in this section, “temporary lockout benefits” means benefits payable as provided in this section to individuals who are unemployed due to a lockout as defined in ORS 662.205.

(2) An individual is eligible to receive temporary lockout benefits for a week in an amount equal to the weekly benefit amount of the individual’s most recent unemployment benefit claim if:

(a) Prior to the week, the individual has received all of the regular benefits that were available to the individual under this chapter;

(b) The individual is not eligible for any other benefits, including benefits provided under any federal law extending benefits beyond those provided for as regular benefits; and

(c) At the time of filing an initial or additional claim, the individual is unemployed due to a lockout at the individual’s place of employment.

(3) The maximum temporary lockout benefit amount an individual may receive under this section is 26 times the weekly benefit amount of the individual’s most recent unemployment benefit claim.

(4) Notwithstanding subsections (2) and (3) of this section, temporary lockout benefits otherwise payable to an individual under this section may not be paid for weeks that begin after the week in which the lockout ends.

(5) An employer shall be charged for temporary lockout benefits in the manner provided in this chapter for charging employers for regular benefits.

SECTION 3. (1) Section 2 of this 2016 Act applies to weeks that begin on or after the effective date of this 2016 Act.

(2)(a) Notwithstanding subsection (1) of this section, with respect to individuals who are unemployed due to a lockout on the effective date of this 2016 Act and who are otherwise eligible to receive temporary lockout benefits, section 2 of this 2016 Act applies to weeks that begin before, on or after the effective date of this 2016 Act.

(b) Temporary lockout benefits that are retroactively payable by operation of this subsection must be claimed by the eligible individual, in the manner prescribed in this chapter for claiming regular benefits, within 60 days after the effective date of this 2016 Act.

SECTION 4. (1) If the United States Secretary of Labor serves notice that the provisions of section 2 of this 2016 Act fail to meet the requirements of the Social Security Act or the Federal Unemployment Tax Act, section 2 of this 2016 Act shall no longer be of any force or effect.

(2) The Director of the Employment Department shall notify the Legislative Counsel as soon as practicable after receipt of the notice described in subsection (1) of this section.

SECTION 5. This 2016 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect on its passage.

Passed by House February 29, 2016

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate March 2, 2016

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2016

Approved:

.....M,....., 2016

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2016

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Jeanne P. Atkins, Secretary of State