

House Bill 4086

Sponsored by Representative RAYFIELD, Senator GELSER, Representative OLSON; Representatives BARKER, BARNHART, EVANS, GILLIAM, HOLVEY, LIVELY, PILUSO, WITT, Senator ROSENBAUM (Presession filed.)

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**.

Provides for temporary lockout benefits, equal to weekly unemployment benefit amount of individual's most recent unemployment benefit claim, to individual who is unemployed due to lock-out. Caps temporary lockout benefits at lesser of 26 times weekly benefit amount of individual's most recent unemployment benefit claim or amount paid before lockout ends. Provides that employer shall be charged for temporary lockout benefits in manner provided for charging employers for regular benefits. Provides for retroactive payment of temporary lockout benefits to individuals unemployed due to lockout at time of passage of measure.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to unemployment benefits of individuals who are unemployed due to lockouts; and declaring
3 an emergency.

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

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

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

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

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

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

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

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

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

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

26 **SECTION 3. (1) Section 2 of this 2016 Act applies to weeks that begin on or after the ef-**
27 **fective date of this 2016 Act.**

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.

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

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

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

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

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

17 _____