



Chair Taylor, Vice-Chair Knopp and members of the Senate Committee on Labor and Business:

Thank you for holding public hearings on unemployment benefits. Like hundreds of thousands of other Oregonians, many of our members have experienced extreme difficulty navigating the unemployment system. This testimony provides additional details about the experience of our members and offers our assistance to help in any way that we can.

The Oregon Association of REALTORS® (OAR) represents approximately 17,000 REALTORS® in Oregon, nearly all independent contractors. Our national counterpart, the National Association of REALTORS® worked tirelessly to pass the CARES Act and to ensure that the Pandemic Unemployment Assistance program was included. Many REALTORS® are struggling financially because their offices closed, they are caring for children or sick loved ones because of the pandemic, or they have contracted COVID-19.

Soon after the passage of the CARES Act OAR launched a COVID-19 hotline to assist our members in navigating unemployment benefits, PPP loans, and other CARES Act assistance. To date we have received more than 400 calls, mostly from members struggling with the unemployment benefits process. While we are not able to solve many of their problems, our members have been pleased that a human being will pick up the phone and talk to them, something that many of them have not experienced when calling the Employment Department.

OAR recently conducted a survey of those who contacted the hotline to determine the status of their unemployment claims. We received roughly fifty (50) responses and wanted to share the results with the Committee, as well as some of the comments we received. We hope this information is instructive to the Committee as it evaluates the status of the PUA program and how to expedite the resolution of claims and issuing of checks.

OAR Member Experience by the Numbers

Of those members who responded to our survey and had applied for unemployment:

- The vast majority applied for unemployment benefits in March or April.
- Two-thirds received an initial response from OED; one-third did not
- Of those that received an initial response, two-thirds did not receive the response for more than eight weeks and 40% did not receive the response for more than 10 weeks.
- Of those that received a response, roughly half were told that the Department is still evaluating their claim and the other half were accepted. Only a few members reported that their claim was rejected outright.
- Of those that were accepted, about 40% have received all of their payments, 40% have received some but not all of their payments, and 20% have not received any payments.

Ongoing Frustrations—No Response or Members “Ghosted” After Receiving Initial Response

In addition to the one third of members who responded to our survey and have yet to hear any response from OED, many members who were initially contacted by OED and told that their claim was still being evaluated have experienced some common frustrations. Many have been asked by OED for information that was needed to process the claim, provided the information, and then never heard back. Some examples include:

- A member was contacted by OED and was asked for a form 1099 and 1040. The member provided the forms on 6/20/20 and as of late August they had yet to hear a response.
- A member heard from OED on July 21 that their application looked good and would be processed within a couple of weeks. As of Aug. 19 they had not heard any updates.
- A member was approved for PUA and received some initial checks on 07/16/20. The member then received a Reliacard with no money on it on July 20. The member has continued to file weekly claims but has not received any additional payments. The member received a voicemail from OED employee but every time he tries to call back at the number given, the voicemail box is full. On August 8, this member received notice that his claim needed to be restarted, but the member had never stopped the claim. He is now unsure how to proceed.
- One member received 20 separate letters all delivered on August 10. Each letter said the same thing for each week the member had filed for PUA. It said "WE CAN NOT PAY BENEFITS FOR THIS WEEK: THIS WEEK IS BEFORE THE START OF YOUR UNEMPLOYMENT INSURANCE CLAIM. If your intent was to claim this week, please call the office listed above to explain why your claimed this week. Failure to reply within 5 days will result in denial of benefits for this week." The letters provided a number to call. Of course, this member called the number hundreds of times after receiving the letters—as they had prior to receiving the letters—to no avail.

These are just a few examples that are typical of what we are hearing from our members. We hope that this information is helpful to your evaluation of the program and determining next steps to help get claims resolved and checks out the door.

We’d Like to Help in Any Way that We Can

OAR would like to take this opportunity to offer its assistance to OED. Because we have dozens and likely hundreds of members waiting to hear back on their claims, we would be more than happy to assist OED in resolving whatever issues they are having processing REALTOR® claims. This includes helping OED understand the REALTOR® independent contractor business model, reaching out to our members with instructions on what they need to do if they have received “restart your claim” or other confusing notices, or any other assistance we can provide. We encourage Mr. Gerstenfeld or a member of his staff to contact us at 503-587-8981 or at jrogers@oregonrealtors.org.

Thank you for the opportunity to share the experience of OAR and our members.

Jeremy Rogers, Director of Legal Affairs and Public Policy
Oregon Association of REALTORS®

Cc: David Gerstenfeld, Acting Director, Oregon Employment Department
Christian Gaston, Workforce and Labor Policy Advisor, Office of Governor Kate Brown