

Enrolled
Senate Bill 690

Sponsored by Senators METSGER, COURTNEY; Representative NELSON

CHAPTER

AN ACT

Relating to supplemental unemployment benefits for dislocated workers; amending ORS 657.335, 657.337 and 657.340; and declaring an emergency.

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

SECTION 1. ORS 657.337 is amended to read:

657.337. (1) The state's economic stability is often threatened when workers are being displaced from the workforce and the workers and their families face hardship and serious social and health problems.

(2) The policy of the state is to promote workforce development by providing eligible dislocated workers with unemployment compensation and related benefits while they are receiving professional technical training so that they can continue to care for their families and obtain employment.

(3) The Employment Department and the Department of Community Colleges and Workforce Development will implement the necessary strategies, systems and structures that will provide consolidated, streamlined delivery of these services to dislocated workers.

(4) It is the policy of the state to encourage the movement of workers into higher wage jobs.

(5) It is the policy of the state to make the best use of currently existing service delivery vehicles, training programs and assessment devices to provide services to eligible dislocated workers.

(6) In order to assist eligible dislocated workers to continue or complete professional technical training, individuals who meet the requirements of ORS 657.335 to 657.360 are eligible for supplemental benefits as provided in ORS 657.340 [through June 30, 2005].

SECTION 2. ORS 657.340 is amended to read:

657.340. (1) Dislocated workers approved for professional technical training [shall] **may** not be denied unemployment insurance benefits solely because they are attending professional technical training, nor shall such individual be denied benefits by reason of leaving work to enter such training if the work left was part-time or temporary or paid less than 80 percent of the individual's average weekly wage during the base year.

(2) Notwithstanding provisions of this chapter relating to availability for work, actively seeking work or refusal to accept suitable work, dislocated workers approved for professional technical training and otherwise eligible for benefits [shall not be] **are not** ineligible for such benefits or waiting week credit because of attendance in professional technical training.

(3)(a) Eligible dislocated workers who file valid unemployment compensation claims, upon exhaustion of regular benefits, are eligible, subject to the availability of funds, for supplemental benefits from 1 to 26 times the individual's most recent weekly benefit amount based upon the amount needed to continue or complete approved professional technical training.

(b) Supplemental benefits shall be paid under the same terms and conditions as regular benefits under this chapter, except that the Director of the Employment Department may extend the benefit year of an individual attending an approved professional technical training program a sufficient number of weeks to allow the individual to complete the training program.

(c) Supplemental benefits under ORS 657.335 to 657.360 may be paid only when the eligible dislocated worker is not eligible to receive extended benefits as provided in ORS 657.321 to 657.329 or additional benefits as provided in ORS 657.331 to 657.334.

(d) Supplemental benefits may be paid only to eligible dislocated workers whose unemployment, as determined by the director[,];

(A) Is substantially due to the lack of employment opportunities in the workers' local labor market resulting from:

[(A)] (i) High energy costs;

[(B)] (ii) Extended drought conditions and the attendant economic conditions;

[(C)] (iii) Secondary effects of foreign trade; or

[(D)] (iv) A shift of production to another state or territory of the United States; or

(B) Resulted from the workers' return to service in the Oregon National Guard or military reserve forces of the United States following a change in status from serving under Title 32 to serving under Title 10 of the United States Code at a time designated by the President of the United States by executive order as a period of combatant activities.

(4) The receipt of supplemental benefits is conditioned upon the individual's demonstrating satisfactory progress and attendance in professional technical training.

SECTION 3. ORS 657.335 is amended to read:

657.335. As used in ORS 657.335 to 657.360:

(1) "Eligible dislocated workers" means individuals who:

(a) Have been terminated or laid off or who have received a notice of termination or layoff, are eligible for or have exhausted their entitlement to unemployment compensation and are unlikely to return to their previous industry or occupation;

(b) Have been terminated or have received a notice of termination of employment, as a result of any permanent closure of or any substantial layoff at a plant, facility or enterprise;

(c) Are long term unemployed and have limited opportunities for employment or reemployment in the same or a similar occupation in the area in which such individuals reside, including older individuals who may have substantial barriers to employment by reason of age; [or]

(d) Were self-employed, including farmers and ranchers, and are unemployed as a result of general economic conditions in the community in which they reside or because of natural disasters[.];
or

(e) Returned to service in the Oregon National Guard or the military reserve forces of the United States following active duty service as set forth in ORS 657.340 (3)(d).

(2) "Professional technical training" means professional and technical training or retraining and basic education, including literacy skills, designed to prepare individuals for gainful employment in recognized or new occupations or to prepare individuals to become self-employed. The term does not include programs of instruction for an individual (including transfer credit programs of instruction given at community colleges) which are primarily intended to lead toward a baccalaureate or higher degree or training that has for its purpose the preparation of individuals for employment in occupations which require a baccalaureate or higher degree from institutions of higher education unless approved by the Director of the Employment Department.

SECTION 4. This 2005 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect on its passage.

Passed by Senate April 18, 2005

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Secretary of Senate

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President of Senate

Passed by House May 24, 2005

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Speaker of House

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State