

D R A F T

SUMMARY

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 lockout. 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
3 to lockouts; and declaring 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**
6 **of ORS chapter 657.**

7 **SECTION 2. (1) As used in this section, "temporary lockout**
8 **benefits" means benefits payable as provided in this section to indi-**
9 **viduals who are unemployed due to a lockout as defined in ORS**
10 **662.205.**

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

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

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

4 (c) At the time of filing an initial or additional claim, the individual
5 is unemployed due to a lockout at the individual's place of employ-
6 ment.

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

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

14 (5) An employer shall be charged for temporary lockout benefits in
15 the manner provided in this chapter for charging employers for regu-
16 lar benefits.

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

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

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

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

1 **effect.**

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

5 **SECTION 5. This 2016 Act being necessary for the immediate pres-**
6 **ervation of the public peace, health and safety, an emergency is de-**
7 **clared to exist, and this 2016 Act takes effect on its passage.**

8
