

Senate Bill 470

Sponsored by Senator DEMBROW; Senators BEYER, MONNES ANDERSON, MONROE, ROBLAN, Representatives BARNHART, BUCKLEY, FREDERICK, GOMBERG, GORSEK, GREENLICK, HOLVEY, KENY-GUYER (Pre-session 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**.

Allows payment of unemployment insurance benefits to certain individuals performing services in other than instructional, research or principal administrative capacity for educational institutions for weeks of unemployment commencing between two successive academic years or during established and customary vacation period or holiday recess.

A BILL FOR AN ACT

1
2 Relating to unemployment insurance benefits for certain educational institution employees; creating
3 new provisions; amending ORS 657.165 and 657.167; and repealing ORS 657.221.

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

5 **SECTION 1. ORS 657.221 is repealed.**

6 **SECTION 2.** ORS 657.165 is amended to read:

7 657.165. No week shall be counted as a week of unemployment for the purposes of ORS 657.155
8 (1)(d):

9 (1) Unless it occurs within the benefit year that includes the week for which the unemployed
10 individual claims payment of benefits.

11 (2) If benefits have been paid with respect thereto.

12 (3) Unless the unemployed individual was eligible for benefits with respect thereto as provided
13 in ORS 657.150, 657.155 to 657.176, 657.184, 657.186[,] **and** 657.200 to 657.213 [*and 657.221*], except for
14 the requirements of ORS 657.155 (1)(d).

15 **SECTION 3.** ORS 657.167 is amended to read:

16 657.167. (1) Benefits based on service in an instructional, research or principal administrative
17 capacity for an educational institution or institution of higher education shall be payable to an in-
18 dividual in the same amount, on the same terms and subject to the same conditions as benefits
19 payable on the basis of other service subject to this chapter, except that benefits shall not be paid
20 based on such services for any week of unemployment commencing during the period between two
21 successive academic years or, when an agreement provides instead for a similar period between two
22 regular terms whether or not successive or during a period of paid sabbatical leave provided for in
23 the individual's contract and if such individual performs such services in the first of such academic
24 years or terms and if there is a contract or a reasonable assurance that such individual will perform
25 services in any such capacity for any institution in the second of such academic years or terms. All
26 services by an individual for an institution shall be deemed in instructional, research or principal
27 administrative capacity if at least 50 percent of the individual's time is spent in such activities.

28 (2) With respect to any services described in subsection (1) of this section, compensation payable
29 on the basis of such services shall be denied to any individual for any week that commences during

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 an established and customary vacation period or holiday recess if such individual performs such
2 services in the period immediately before such vacation period or holiday recess, and there is rea-
3 sonable assurance that such individual will perform such services [*or any services described in ORS*
4 *657.221 (1)*] in the period immediately following such vacation period or holiday recess.

5 (3) With respect to any services described in subsection (1) of this section, benefits based on
6 such services shall be denied as specified in subsections (1) and (2) of this section to any individual
7 who performed such service in an institution while in the employ of an education service district
8 established by ORS chapter 334, providing 50 percent or more of the individual's time is spent in
9 instructional, research or principal administrative capacity in such institution.

10 (4) The provisions of subsections (1), (2) and (3) of this section apply only to service performed
11 for:

12 (a) An educational institution or institution of higher education operated by a nonprofit em-
13 ploying unit;

14 (b) This state;

15 (c) A political subdivision of this state; or

16 (d) An Indian tribe.

17 **SECTION 4. The amendments to ORS 657.165 and 657.167 by sections 2 and 3 of this 2015**
18 **Act and the repeal of ORS 657.221 by section 1 of this 2015 Act apply to services performed**
19 **in any week, as defined in ORS 657.010, that begins on or after the effective date of this 2015**
20 **Act.**

21 _____