

# Electronic Alert

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## **New Oregon Unemployment Rule to Take Effect Next Week**

By Paula Barran & Bruce Garrett

The Oregon Employment Department announced that a new temporary unemployment benefit availability rule will take effect next week. It is intended to clarify eligible requirements for workers who must work around child care responsibilities, and will likely result in fewer workers being disqualified because of the operation of the eligibility requirements.

Under the new rule, workers must be available for suitable work for at least 40 hours per week, or one shift per day if their work is shift-based.

For example, the Department says that if a worker's employer has two shifts available, but the worker is available for only one shift because of child care restraints, that employee will be eligible for benefits under the new rule. Previously, the worker would have to be available for both shifts in order to qualify for benefits. The Department explains: "Now when we say one shift, we do NOT mean one day of work. We mean one shift per day." The Department considered the change necessary because its application means a shift worker needed to be available for all shifts. Here are two scenarios from the Department:

"Scenario 1: Your employer has two shifts for your position. Because your partner can only watch the kids during the evening shift, you must be available for the other shift to be considered 'available to work.'"

Previously, you had to be available for all shifts during a day to qualify for benefits.

"Scenario 2: Your employer has 3 shifts for your position. Now that your child is back in school, you must be able and available to work the morning or day shift."

The temporary rule also requires that new applicants complete "orientation activities" where they meet with a representative from WorkSource to receive assistance with their job search.

The Department will conduct a listening session with business and labor groups to gather feedback before drafting the permanent availability rule change.

Stay tuned for updates to Oregon's unemployment rule changes.

*For questions about the Employment Department's rule change or for other questions about employer responsibilities concerning unemployment benefits, contact Paula Barran at 503-228-0500, or at [pbarran@barran.com](mailto:pbarran@barran.com).*