

What is your job?

Head Start staff →
Food service worker →

Who runs your facility?

MHCC → Private employer →
Benefits are blocked for employees of Mt. Hood Community College because their program is affiliated with a college.

EA →

Are you instructional?

Maybe?



OED adjudicators determine if an EA spends 50% or more of their time providing "instruction" - even though EAs are not instructors under Oregon law.

ESD employee →

No →

Do you work in a school or an ESD facility?

Food service workers are the lowest paid school employees. Denying their modest UI benefits - especially during a pandemic! - is unfair.



An ESD → A school district →



Eligibility for ESD staff changes based on if an ESD or a school district owns the facility (even if they do the exact same work).

SB 495: educational assistants

SB 495: educational assistants

Two categories of educators:

- Research, principal administrative, and *instructional* services.
 - Very limited access to unemployment benefits. No state discretion.
- Those performing all other services for an educational institution.
 - Modest access to unemployment benefits (including retroactive benefits) and some state discretion.

SB 495: educational assistants

We know EAs aren't doing instruction, though, as ORS 342.120 specifically separates:

- (5) “Instruction” includes preparation of curriculum, assessment and direction of learning in class, in small groups, in individual situations, online, in the library and in guidance and counseling, but does not include the provision of related services, as defined in ORS 343.035, to a child identified as a child with a disability pursuant to ORS 343.146 to 343.183 when provided in accordance with ORS 343.221.
- (6) “Instructional assistant” means a classified school employee who does not require a license to teach, who is employed by a school district or education service district and whose assignment consists of and is limited to assisting a licensed teacher in accordance with rules established by the Teacher Standards and Practices Commission.

SB 496: Head Start, food service, ESDs

SB 496: Head Start

Head Start workers typically don't face "reasonable assurance" tests. *Unless they work for Mt. Hood Community College Head Start*, where the connection with the college means they do.

SB 496 would prevent MHCC Head Start from being the only Head Start in Oregon where workers have unemployment benefits denied because of "reasonable assurance."

SB 496: food service workers

Food service workers are:

- The lowest paid educators in Oregon, often seeing more than their entire paycheck go to the cost of health insurance.
- Essential workers who worked through the pandemic to feed hungry kids and families.

SB 496 would stop “reasonable assurance” from barring these vulnerable workers from receiving the modest UI benefits they could earn if they didn’t work in schools.

SB 496: ESD employees

ESD classified employees either:

- Work in ESD-operated facilities that aren't schools and never face a reasonable assurance determination.
- Work at least half time in an “educational institution” and have reasonable assurance adjudicated as for most school employees.

A requested amendment would stop letting the worksite they're assigned to determine UI benefits for ESD employees.