

Dear Chair Riley and committee members:

I am a Title One Education Assistant for the Hermiston School District. I live in Hermiston. My coworkers and I know that it can be hard to get by on school employee wages, even in a good year. With our hourly wage being less than \$15/hour once it is divided over 10 months, unpredictability with unemployment hurts us and our families. In 2020, we saw a lot of hardship among people like us.: Districts unwilling to give decent wages or insurance benefit increases. Not everyone filed for unemployment benefits because we didn't know if we'd be approved. Some people who applied were approved, but some were denied – even though no one had “reasonable assurance” because of the pandemic. Even getting paid “Benefits While You Wait” didn't help a lot of people – the Employment Department denied their claims months later and asked for the money back. It is painfully clear that Oregon's current unemployment laws are unfair and unpredictable for school employees like me.

Myself and other coworkers have found it nearly impossible to find work for just a couple of months. Most employers would pass on hiring us since we wouldn't even make it through our 90 day trial days and training. As a result, I have had to save a huge portion of my tax refund to cover lost summer wages. I have been lucky enough to have a dependent I could claim. However, this year that isn't a luxury for me anymore. I already make so little, I am not sure how I will cover summer expenses.

We already struggle and yet are so proud of the work that we do. We are just as passionate and dedicated as certified teachers. We are not afforded any of the respect or benefits however. Making a clear and fair system would make it easier for educational assistants to make it through the summer and support themselves and their families. We currently struggle to retain quality assistants due to the lack of the summer pay. They find better paying summer jobs that lead to permanent work offers, quit, and never return. This is a struggle for our students to lose the people who have learned how to motivate, support and teach them. Those skills must not be undervalued.

Senate Bill (SB) 495 would make the system more fair for educational assistants by applying the same set of rules (ORS 657.221) to all educational assistants, regardless of the exact tasks they do. SB 495 would give a clear definition of which employees are “instructional” under unemployment law (i.e., teachers), and which are “instructional assistants,” who should be treated the same way as all other classified school employees. This definition is already used by the Teacher Standards and Practices Commission (TSPC) uniformly throughout Oregon.

This bill doesn't guarantee anyone unemployment benefits. But it does provide two important things:

1. Fairness: SB 495 will make sure everyone working as an educational assistant is treated the same, not dependent on an individual determination of how much time they spend doing instruction – which isn't even defined in unemployment law currently.
2. Predictability: SB 495 will allow educational assistants to know, before they apply and wait for a determination, which set of rules will be applied to them. This matters, because declaring a worker's job “instructional” means that they can't receive summer unemployment benefits even if they don't end up with a job to return to in the fall [ORS 657.221(1)(c)].

I strongly believe that this change will reduce work and inconsistency for the Employment Department, and it will create a more fair and predictable situation for educational assistants and their employers.

Please pass SB 495.

Sincerely,
Holly Rivera