



Oregon School Employees Association

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Senate Committee on Labor and Business
Sen. Chuck Riley, chair

Dear Chair Riley and committee members:

The Oregon School Employees Association (OSEA) represents about 23,000 workers in nearly all levels of public education, including Head Start programs, K-12 school districts, ESDs and community colleges. OSEA members perform many of the thankless tasks that keep Oregon public schools safe and functional for students, administrators and teachers.

Our members know that it's hard to get by on school employee wages, even in a good year. Due to the "reasonable assurance" test for school employees claiming unemployment insurance (UI) benefits in the summer, they rarely get approved, if they even file. They either stretch nine or ten months of wages over a year or they supplement with other income. In 2020, we saw an exceptional level of hardship, because where the pandemic coincided with a traditional summer break, even though there was clearly no *reasonable* assurance of work for school employees in the fall, many school employees were still denied UI benefits.

It's cliché now to say 2020 was a disaster for the UI system. For our members, even getting paid "Benefits While You Wait" ended up being a disaster: For many, the Employment Department denied their claims months later and asked for more money back than they'd actually paid.

2020 wasn't unexpected for school employees. They already knew that Oregon's current unemployment laws are unfair and unpredictable for school employees and need to be changed. **The bills we're bringing forward this session are designed to make changes that will prevent a potential repeat of 2020.**

Senate Bill (SB) 496 addresses the most unfair, unpredictable effects of applying a reasonable assurance test inconsistently for certain workers, as Oregon currently does. Specifically:

- Most **Head Start workers** work for private employers and don't face the "reasonable assurance" test to get unemployment benefits. But for one of Oregon's programs, the employer is technically an educational institution – Mt. Hood Community College Head Start –and they're being treated differently than other Head Start workers. Their work is no different than for any other Head Start, so it's undeniably unfair that their UI benefits are delayed or denied entirely just because this early childhood program is affiliated with MHCC.

- School **food service workers** are the lowest paid educators, and they were some of the most essential workers during the pandemic, working through widespread closures to feed students and families. Denying them the modest unemployment benefits they might qualify for based on “reasonable assurance” is deeply unfair, placing a burden of insecurity on the school employees who are most financially vulnerable.
- **Education service district (ESD) employees** can face one of the most unpredictable paths to unemployment benefits, because ORS 657.221(4) sets different eligibility criteria for ESD employees *depending on where they work*. If at least half their time is working in a school, they can be denied unemployment benefits when their coworkers, working in an ESD-owned facility, aren't. In fact, under current law, working for an ESD in an ESD office or similar setting means *no “reasonable assurance” test is ever required*.

OSEA strongly urges this committee to pass SB 496, amended to include ESD employees, to more fairly and predictably apply Oregon’s unemployment law.

Thank you for your attention,

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