

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 916 (INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)

By COMMITTEE ON LABOR AND WORKPLACE STANDARDS

May 29

1 On page 1 of the printed A-engrossed bill, delete line 19.

2 On page 2, delete lines 1 through 4 and insert:

3 “(b) Notwithstanding the provisions of this chapter relating to availability for work, actively
4 seeking work or refusal to accept suitable work, after the first week, an individual described in
5 paragraph (a) of this subsection who is otherwise eligible for benefits is not disqualified for benefits
6 or waiting week credit for:

7 “(A) If the tax schedule in effect on the date on which the strike begins is Fund Adequacy
8 Percentage Ratio I, II, III or IV, any subsequent week of unemployment due to the strike.

9 “(B) If the tax schedule in effect on the date on which the strike begins is Fund Adequacy
10 Percentage Ratio V, VI, VII or VIII, any of the subsequent eight weeks of unemployment due to the
11 strike.”.

12 On page 4, after line 7, insert:

13 “**SECTION 2a. If House Bill 2236 becomes law, section 2 of this 2025 Act (amending ORS
14 657.010) is repealed and ORS 657.010, as amended by section 28, chapter 75, Oregon Laws 2024,
15 and section 1, chapter __, Oregon Laws 2025 (Enrolled House Bill 2236), is amended to read:**

16 “657.010. As used in this chapter, unless the context requires otherwise:

17 “(1) ‘Base year’ means the first four of the last five completed calendar quarters preceding the
18 benefit year.

19 “(2) ‘Benefits’ means the money allowances payable to unemployed persons under this chapter.

20 “(3) ‘Benefit year’ means a period of 52 consecutive weeks commencing with the first week with
21 respect to which an individual files an initial valid claim for benefits, and thereafter the 52 consec-
22 utive weeks period beginning with the first week with respect to which the individual next files an
23 initial valid claim after the termination of the individual’s last preceding benefit year except that
24 the benefit year shall be 53 weeks if the filing of an initial valid claim would result in overlapping
25 any quarter of the base year of a previously filed initial valid claim.

26 “(4) ‘Calendar quarter’ means the period of three consecutive calendar months ending on March
27 31, June 30, September 30 or December 31, or the approximate equivalent thereof, as the Director
28 of the Employment Department may, by rule, prescribe.

29 “(5) ‘Client employer’ means an employer that enters into a PEO relationship.

30 “(6) ‘Client worker’ means an individual who performs services for compensation for the client
31 of a professional employer organization.

32 “(7) ‘Contribution’ or ‘contributions’ means the money payments required by this chapter, or
33 voluntary payments permitted, to be made to the Unemployment Compensation Trust Fund.

34 “(8) ‘Covered employee’ means a client worker for whom a PEO has assumed employer respon-

1 sibilities under a PEO relationship.

2 “(9) ‘Educational institution,’ including an institution of higher education, means an institution:

3 “(a) In which participants, trainees or students are offered an organized course of study or
4 training designed to transfer to them knowledge, skills, information, doctrines, attitudes or abilities
5 from, by or under the guidance of an instructor or teacher;

6 “(b) That is accredited, registered, approved, licensed or issued a permit to operate as a school
7 by the Department of Education or other government agency, or that offers courses for credit that
8 are transferable to an approved, registered or accredited school;

9 “(c) In which the course or courses of study or training that it offers may be academic, techni-
10 cal, trade or preparation for gainful employment in a recognized occupation; and

11 “(d) In which the course or courses of study or training are offered on a regular and continuing
12 basis.

13 “(10) ‘Employment office’ means a free public employment office or branch thereof, operated by
14 this state or maintained as a part of a state-controlled system of public employment offices.

15 “(11) ‘Hospital’ has the meaning given that term in ORS 442.015.

16 “(12) ‘Institution of higher education’ means an educational institution that:

17 “(a) Admits as regular students only individuals having a certificate of graduation from a high
18 school, or the recognized equivalent of such a certificate;

19 “(b) Is legally authorized in this state to provide a program of education beyond high school;

20 “(c) Provides an educational program for which it awards a bachelor’s or higher degree, or
21 provides a program that is acceptable for full credit toward such a degree, a program of post-
22 graduate or post-doctoral studies, or a program of training to prepare students for gainful employ-
23 ment in a recognized occupation; and

24 “(d) Is a public or other nonprofit institution.

25 “(13) ‘Instructional capacity’ does not include services performed as an instructional assistant
26 as defined in ORS 342.120.

27 “(14) ‘Internal Revenue Code’ means the federal Internal Revenue Code, as amended and in ef-
28 fect on December 31, 2023.

29 “(15) **‘Labor dispute’ means any concerted or deliberate action by two or more individuals**
30 **or by an employing unit resulting in either a strike or lockout in which wages, hours,**
31 **working conditions or terms of employment of the individuals are involved.**

32 “(16) **‘Lockout’ means any refusal by an employer to permit employees to work as a re-**
33 **sult of a dispute with the employees affecting wages, hours or other terms or conditions of**
34 **their employment.**

35 “[15] (17) ‘Nonprofit employing unit’ means an organization, or group of organizations, de-
36 scribed in section 501(c)(3) of the Internal Revenue Code that is exempt from income tax under
37 section 501(a) of the Internal Revenue Code.

38 “[16] (18) ‘PEO relationship’ means an agreement between a PEO and a client employer under
39 which certain employer responsibilities for some or all of the client employer’s workers are allo-
40 cated.

41 “[17](a) (19)(a) ‘Professional employer organization’ or ‘PEO’ means a person required to be
42 licensed under ORS 656.855 that enters into a PEO relationship with a client employer.

43 “(b) ‘Professional employer organization’ or ‘PEO’ does not mean a person that solely provides
44 workers to a client on a temporary basis or a person that provides payroll processing or similar
45 administrative services without assuming employer responsibilities for client workers.

1 “[(18)] (20) ‘State’ includes, in addition to the states of the United States of America, the District
2 of Columbia and Puerto Rico. However, for all purposes of this chapter the Virgin Islands shall be
3 considered a state on and after the day on which the United States Secretary of Labor first approves
4 the Virgin Islands’ law under section 3304(a) of the Federal Unemployment Tax Act as amended by
5 Public Law 94-566.

6 “(21) ‘Strike’ means any concerted act of employees in a lawful refusal under applicable
7 state or federal law to perform work or services for an employer.

8 “[(19)] (22) ‘Taxes’ means contributions.

9 “[(20)] (23) ‘Temporary basis’ means providing workers to a client:

10 “(a) For special situations, including but not limited to employee absences, employee leaves,
11 professional skill shortages, seasonal workloads and special assignments and projects with the ex-
12 pectation that the position will be terminated when the special situation ends.

13 “(b) As probationary new hires with a reasonable expectation of transitioning to permanent
14 employment with the client, if the client uses a preestablished probationary period in its overall
15 employment selection program.

16 “[(21)] (24) ‘Valid claim’ means any claim for benefits made in accordance with ORS 657.260 if
17 the individual meets the wages-paid-for-employment requirements of ORS 657.150.

18 “[(22)] (25) ‘Week’ means any period of seven consecutive calendar days ending at midnight, as
19 the director may prescribe by rule.”.

20 On page 6, delete lines 10 through 14 and insert:

21 “**SECTION 7. (1) Benefits charged to a school district or an education service district for**
22 **weeks during a labor dispute shall count toward the total compensation in the applicable**
23 **collective bargaining agreement of the employee who received the benefits.**

24 “**(2) The district shall deduct from the employee’s future wages the amount of the bene-**
25 **fits so charged.”.**