

SB 916-A23
(LC 2910)
5/16/25 (ASD/ps)

Requested by HOUSE COMMITTEE ON LABOR AND WORKPLACE STANDARDS

**PROPOSED AMENDMENTS TO RESOLVE CONFLICTS TO
A-ENGROSSED SENATE BILL 916**

1 On page 4 of the printed A-engrossed bill, after line 7, insert:

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3 **Act (amending ORS 657.010) is repealed and ORS 657.010, as amended**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

6 “657.010. As used in this chapter, unless the context requires otherwise:

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

9 “(2) ‘Benefits’ means the money allowances payable to unemployed per-
10 sons under this chapter.

11 “(3) ‘Benefit year’ means a period of 52 consecutive weeks commencing
12 with the first week with respect to which an individual files an initial valid
13 claim for benefits, and thereafter the 52 consecutive weeks period beginning
14 with the first week with respect to which the individual next files an initial
15 valid claim after the termination of the individual’s last preceding benefit
16 year except that the benefit year shall be 53 weeks if the filing of an initial
17 valid claim would result in overlapping any quarter of the base year of a
18 previously filed initial valid claim.

19 “(4) ‘Calendar quarter’ means the period of three consecutive calendar
20 months ending on March 31, June 30, September 30 or December 31, or the
21 approximate equivalent thereof, as the Director of the Employment Depart-

1 ment may, by rule, prescribe.

2 “(5) ‘Client employer’ means an employer that enters into a PEO re-
3 lationship.

4 “(6) ‘Client worker’ means an individual who performs services for com-
5 pensation for the client of a professional employer organization.

6 “(7) ‘Contribution’ or ‘contributions’ means the money payments required
7 by this chapter, or voluntary payments permitted, to be made to the Unem-
8 ployment Compensation Trust Fund.

9 “(8) ‘Covered employee’ means a client worker for whom a PEO has as-
10 sumed employer responsibilities under a PEO relationship.

11 “(9) ‘Educational institution,’ including an institution of higher educa-
12 tion, means an institution:

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

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

21 “(c) In which the course or courses of study or training that it offers may
22 be academic, technical, trade or preparation for gainful employment in a re-
23 cognized occupation; and

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

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

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

30 “(12) ‘Institution of higher education’ means an educational institution

1 that:

2 “(a) Admits as regular students only individuals having a certificate of
3 graduation from a high school, or the recognized equivalent of such a cer-
4 tificate;

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

7 “(c) Provides an educational program for which it awards a bachelor’s or
8 higher degree, or provides a program that is acceptable for full credit toward
9 such a degree, a program of post-graduate or post-doctoral studies, or a pro-
10 gram of training to prepare students for gainful employment in a recognized
11 occupation; and

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

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

15 “(14) ‘Internal Revenue Code’ means the federal Internal Revenue Code,
16 as amended and in effect on December 31, 2023.

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

21 “(16) **‘Lockout’ means any refusal by an employer to permit em-**
22 **ployees to work as a result of a dispute with the employees affecting**
23 **wages, hours or other terms or conditions of their employment.**

24 “[15] (17) ‘Nonprofit employing unit’ means an organization, or group
25 of organizations, described in section 501(c)(3) of the Internal Revenue Code
26 that is exempt from income tax under section 501(a) of the Internal Revenue
27 Code.

28 “[16] (18) ‘PEO relationship’ means an agreement between a PEO and
29 a client employer under which certain employer responsibilities for some or
30 all of the client employer’s workers are allocated.

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

4 “(b) ‘Professional employer organization’ or ‘PEO’ does not mean a person
5 that solely provides workers to a client on a temporary basis or a person that
6 provides payroll processing or similar administrative services without as-
7 suming employer responsibilities for client workers.

8 “[(18)] **(20)** ‘State’ includes, in addition to the states of the United States
9 of America, the District of Columbia and Puerto Rico. However, for all pur-
10 poses of this chapter the Virgin Islands shall be considered a state on and
11 after the day on which the United States Secretary of Labor first approves
12 the Virgin Islands’ law under section 3304(a) of the Federal Unemployment
13 Tax Act as amended by Public Law 94-566.

14 “**(21) ‘Strike’ means any concerted act of employees in a lawful re-**
15 **fusal under applicable state or federal law to perform work or services**
16 **for an employer.**

17 “[(19)] **(22)** ‘Taxes’ means contributions.

18 “[(20)] **(23)** ‘Temporary basis’ means providing workers to a client:

19 “(a) For special situations, including but not limited to employee ab-
20 sences, employee leaves, professional skill shortages, seasonal workloads and
21 special assignments and projects with the expectation that the position will
22 be terminated when the special situation ends.

23 “(b) As probationary new hires with a reasonable expectation of transi-
24 tioning to permanent employment with the client, if the client uses a prees-
25 tablished probationary period in its overall employment selection program.

26 “[(21)] **(24)** ‘Valid claim’ means any claim for benefits made in accordance
27 with ORS 657.260 if the individual meets the wages-paid-for-employment re-
28 quirements of ORS 657.150.

29 “[(22)] **(25)** ‘Week’ means any period of seven consecutive calendar days
30 ending at midnight, as the director may prescribe by rule.”.

