

STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Employment Department, Unemployment Insurance Division
Agency and Division

471
Administrative Rules Chapter Number

In the Matter of: OAR 471-030-0230

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)
Extended Benefits Temporary Look Back Period

Statutory Authority: ORS 657.610, ORS 657.895

Other Authority:

Stats. Implemented: ORS 657.895

Need for the Temporary Rule(s):

The "Temporary Payroll Tax Cut Continuation Act of 2011" (Public Law 112-78) was signed into law on December 23, 2011 by President Barack Obama. This permits a 3-year lookback provision for determining Extended Benefit periods. Effective January 1, 2012, Oregon law (ORS 657.321) provides for only a 2-year lookback period. This would cause Oregon to trigger off of EB on January 1, 2012, eliminating EB payments in Oregon shortly thereafter.

This rule will permit additional EB payments, consistent with Public Law 112-78. It also permits EB payments to be fully federally funded, as opposed to being split equally between the federal government and Oregon.

Documents Relied Upon, and where they are available:

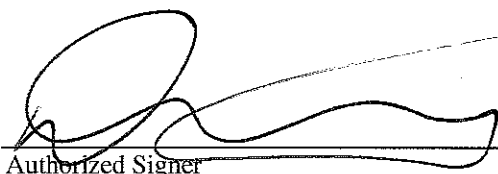
<http://www.govtrack.us/congress/billtext.xpd?bill=h112-3765>

Temporary Payroll Tax Cut Continuation Act of 2011 (HR 3765, Public Law 112-78)

Governor's Directive dated December 30, 2011 – available from the Employment Department

Justification of Temporary Rule(s):

Congress is going to be meeting in a joint House/Senate conference committee to determine if a full year Unemployment Insurance (UI) extension will be needed and what it should look like. Right now a 2-month extension of 100% federally paid EB is in place – for Oregon to preserve UI Trust Fund dollars, take advantage of 100% federal funding and provide for additional weeks of EB benefits for thousands of Oregonians, we need this administrative rule to be effective immediately.



Authorized Signer

David Gerstenfeld
Printed name

December 30, 2011
Date