



**Members:**

**Barbara Byrd**  
Chair, Pro-Tem  
*Oregon AFL-CIO*  
Labor

**Robin Bitrick**  
Confederated Tribes of  
the Umatilla  
Management

**Clif Davis**  
*Int'l Brotherhood of*  
*Electrical Workers*  
Labor

**Cynthia Hurkes**  
*Oregon Child Care*  
*Resource & Referral*  
*Network*  
Public

**Bill Kluting**  
*Carpenters Industrial*  
*Council*  
Labor

**Tamara Russell**  
*Barran Leibman LLP*  
Management

**Mary J. Taylor**  
Management

Meeting Minutes  
Tuesday, July 31, 2012  
2:00pm to 4:00pm

The meeting was called to order at 2:00pm by Barbara Byrd, Chair Pro-Tem. Chair Barbara welcomed all, especially the new Council members Robin Bitrick and Bill Kluting.

Present\*

Robin Bitrick  
Barbara Byrd  
Clif Davis  
Cynthia Hurkes (via telephone)  
Bill Kluting  
Tamara Russell (via telephone)  
Mary Taylor

Staff to Council:

Melissa Leoni  
Rebecca Nance

Excused:

N/A

\*Quorum Requirement Met

Others Present:

Laurie Warner, OED Director  
Martin Burrows, B&ES Administrator  
David Gerstenfeld, UI Administrator  
Jennifer Shawcross, UI Actuary

Approval of Minutes

A motion was made by Clif Davis to approve the minutes from the October 20, 2011 meeting. Motion seconded by Robin Bitrick. No discussion. Minutes approved.

OED Advisory Council Overview/Training Session

Laurie Warner stressed the importance of the role of the Advisory Council to the Department. Laurie talked about the problem of Oregonians facing long-term unemployment; she distributed a graph that illustrates this challenge. She asked the Council if they were interested in a training/orientation. The consensus of the Council is they want to move forward with this training.

Election of Chair

Robin Bitrick made a motion to nominate Clif Davis as Chair of the Council. Motion seconded by Mary Taylor. There were no other nominations. Clif was unanimously elected Chair.

#### UI Trust Fund Solvency

Jennifer Shawcross presented information on Oregon's Unemployment Insurance (UI) Trust Fund. She discussed the current balance of the trust fund and provided historical information. She talked about the timing of setting the employer tax rates and will go into more detail at the training session. Jennifer also addressed other states' solvency issues and borrowing from the federal government as well as the unique self-balancing trust fund formula in Oregon law.

#### Update on Re-employment Eligibility Assessments

David Gerstenfeld and Martin Burrows presented information about Oregon's Re-employment and Eligibility Assessment (REA) program that is now in federal law. States had 30 days to comply with the new federal requirement and Oregon was able to comply fairly easily because of previous claimant outreach efforts already in place. The outcomes for REA are two-fold: 1) to reduce and prevent improper payments to UI claimants earlier in their claim; and, 2) to get claimants back to work as quickly as possible.

#### State Update and 2013 Legislative Session

Rebecca Nance handed out the summary of "The Middle Class Tax Relief and Job Creation Act of 2012". She talked about how, in addition to the Re-employment Eligibility Assessments mandated by this new federal law, there are other opportunities for legislative changes at the state level to existing UI law. Most notably: drug testing of UI claimants under certain circumstances. Rebecca indicated that because of these federal changes, it is likely there will be proposed legislation stemming from this law from legislators and others in the 2013 session.

David Gerstenfeld reviewed the Legislative Concepts proposed by the agency: UI Alternative Base Year Update; Single Officer Coverage Exclusion; UI Overpayment and Fraud Provision Changes; and, Federal Conformity of New Federal Guidelines. These concepts are largely technical in nature.

Melissa Leoni talked about likely legislation from the transportation sector, independent contractor proponents as well as the work we've been doing with the Governor's Office and the Department of Revenue on county solvency and Unemployment Insurance contributions.

#### Advisory Council Training/Orientation Date

Rebecca will send out potential dates to Council members for their consideration, and then set the meeting and arrangements. She will also send out a draft training agenda for Council input.

#### Follow Up Items

1. Council bylaws
2. Draft Training/Orientation Outline
3. Treasury Direct Link
4. Letter from Council to Legislature re: UI Trust Fund

#### Meeting Adjournment

Meeting adjourned at 3:40pm.