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CHAPTER 471

EMPLOYMENT DEPARTMENT

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FILING CAPTION: Updates to Language in Self-employment Assistance program Rule to Reflect Existing Policies and Procedures

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AMEND: 471-030-0235

RULE TITLE: Self-employment Assistance Program

NOTICE FILED DATE: 10/14/2019

RULE SUMMARY: Although these have been requirements for Self-employment Assistance (SEA) program participants for some time, the three proposed changes to the language in the rule:

- 1) The department took over the responsibility for reviewing and approving applicants for the SEA program from the Oregon's Small Business Development Center (SBDC) several years ago. While the SBDC still helps SEA participants generate business plans and feasibility studies, the department also approves these.
- 2) Also reflecting existing policy, the business established by the individual and the individual themselves must be legally able to operate the business under the provisions of the federal government and in the state in which they do business.
- 3) As specified under Oregon Revised Statute (ORS) 657.158(1)(b) and (c), SEA program participants may also be required to perform other types of "Self-employment assistance activities" and provide supporting documentation to demonstrate the completion of those activities to the department within 45 calendar days of the date the individual was approved for the Self-employment Assistance program.

RULE TEXT:

- (1) As used in ORS 657.158(1)(b), "entrepreneurial training" means training that will develop skills in organizing, operating, and assuming the risk for a business venture.
- (2) As used in ORS 657.158(3)(d), "full-time basis" means 40 hours each week.
- (3) Any individual eligible for "regular benefits," as defined in ORS 657.158(1)(a), can request to participate in self-employment assistance activities in accordance with ORS 657.158.
- (4) Any individual submitting an application form to participate in the Self-employment Assistance program agrees to:
 - (a) Meet the terms and conditions of ORS 657.156 and 657.158, and OAR 471-030-0034;
 - (b) Obtain any necessary occupational certifications prior to submitting the application form. The Director may waive this requirement when such requirement would be inconsistent with the policy set forth in ORS 657.158; and
 - (c) As specified under ORS 657.158(1)(b) and (c), provide supporting documentation as required in writing by the Employment Department to demonstrate the completion of any types of "Self-employment assistance activities" within

45 calendar days of the date the individual was approved for the Self-employment Assistance program.

(5) All applications for the Self-employment Assistance program must:

- (a) Be for a business that is legal to operate under the provisions of the federal government and the laws of the state in which the individual who owns the business is practicing their business;
- (b) Be for a business that the individual is legally able to operate under the provisions of the federal government and the laws of the state in which the individual who owns the business is practicing their business; and
- (c) Be for a business that has been reviewed for feasibility by the Employment Department in collaboration with a local Oregon Small Business Development Center network representative.

STATUTORY/OTHER AUTHORITY: ORS chapter 657, ORS 657.610, 657.158

STATUTES/OTHER IMPLEMENTED: ORS 657.158