



FOR IMMEDIATE RELEASE

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**Oregon Employment Department and Oregon Law Center Submit
Proposed Settlement for Class Action Lawsuit**

*Both parties agree to work together to improve the Department's timeliness
in serving unemployed Oregonians*

Feb. 3, 2021 (Salem, OR)--Today the Oregon Employment Department and the Oregon Law Center announced they have submitted a proposed settlement in a class action lawsuit. The suit, filed by fourteen Oregonians who waited weeks or months for unemployment benefits, sought to resolve issues related to timeliness challenges and language barriers faced by Oregonians filing for unemployment benefits through the Employment Department.

Both parties wish to avoid unnecessary litigation and instead work together to improve the Employment Department's timeliness in serving unemployed Oregonians.

"I am pleased that we are one step closer to finalizing this settlement," said Oregon Employment Department Acting Director David Gerstenfeld. "Our priority has always been to serve Oregonians in need, and to pay everyone the benefits they are eligible for as quickly as we can. We have made significant headway since the onset of the pandemic, improving our communication with claimants, offering more services and resources in languages other than English, processing claims more quickly, and closing in on our backlog. We are committed to doing right by the Oregonians relying on us, reaching the goals set forth in the proposed settlement, and being transparent about our progress along the way."

Lisa Exterovich, a single mother who lost work because of the pandemic, is one of the named petitioners. "After I lost my job, I applied for unemployment. I waited months for benefits to begin without knowing what was happening -- I couldn't pay rent, and I really worried about how it would affect my daughter and I. I decided to join the lawsuit to be an advocate for myself and other people with similar stories." Ms. Exterovich supports the settlement because "the Employment Department is committing to paying people benefits more quickly, working to improve communications with those seeking benefits, and providing assistance to people who don't speak English."

As part of the settlement, the Employment Department has committed to meeting certain timeliness targets and providing services to Oregonians with limited English proficiency (LEP). In addition to increasing staffing and training so as to process UI, PUA, and other claims more quickly, and expanding service options for LEP individuals, the Employment Department has agreed to:

- Meet federal timeliness targets for paying benefits, by March 1, 2021, and for adjudicating claims, by April 1, 2021;
- Completely work through all claims in adjudication as of mid-January, by March 1, 2021;
- Address long wait times for people who have had to restart their claims;
- Improve phone access and access to benefit applications for LEP individuals, and;
- Allow eligible LEP individual who were unable to apply for unemployment benefits due to language barriers to backdate their claims to the extent the law allows and create an action plan to address this issue.

In addition, the agreement makes allowances for more time in certain circumstances (for example, when there are issues verifying a claimant's identity).

The full text of the proposed settlement and answers to Frequently Asked Questions can be found at oregonlawcenter.org/oed-class-action-lawsuit/.

For more information about unemployment benefits, visit unemployment.oregon.gov.

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Equal Opportunity program — auxiliary aids and services available upon request to individuals with disabilities. Contact: (503) 947-1794. For people who are deaf or hard of hearing, call 711 Telecommunications Relay Services.

NOTICE OF CLASS ACTION SETTLEMENT

The COVID-19 pandemic caused an unprecedented surge in applications for unemployment benefits. In July 2020, a group of unemployed Oregonians filed a class action lawsuit against the Oregon Employment Department (“OED”), arguing that the state was unreasonably delaying making final decisions on their claims for unemployment benefits. This notice summarizes the terms of a proposed settlement of the lawsuit and gives important information about class members’ rights.

Who is a class member?

You are a member of the class if you:

- Were partially or totally unemployed between March 1, 2020, and the present;
- Applied or attempted to apply for unemployment benefits distributed by OED; and
- Have been waiting longer than four weeks since applying or attempting to apply without receiving either payment, or a denial, for at least one week of benefits other than the initial waiting week

Who represents the class?

The court appointed Oregon Law Center as lawyers for the class. Oregon Law Center is a nonprofit that provides free legal representation to Oregonians in civil cases, including in disputes related to public benefits like unemployment insurance.

What are the terms of the proposed settlement?

This notice contains a short summary of the main parts of the agreement. You can read the full text of the proposed settlement and review answers to Frequently Asked Questions at <https://oregonlawcenter.org/oed-class-action-lawsuit>.

Under the settlement, OED agrees to:

1. By March 1, meet federal timeliness standards for paying benefits when they are due and, by April 1, meet federal timeliness standards for adjudicating (deciding) disputes about eligibility.
2. Process initial applications for UI and PUA more quickly.
3. By March 1, completely work through the “adjudication backlog.” This means that all claims waiting for adjudication in mid-January will be resolved (paid or denied) by March 1.
4. Address long wait times for people whose benefits have started and stopped, but who don’t need adjudication.
5. Make regular, public reports on their progress for items 1-4 above.
6. Make online and paper/PDF applications for benefits available in languages other than English.

7. Allow eligible Limited English Proficient (“LEP”) individuals who couldn’t apply for unemployment benefits because of language barriers ask for benefits back to the date they lost work to the extent the law allows.

8. Improve phone access for LEP individuals and create plan to address language barriers for people applying for benefits.

Although class members who are eligible for benefits may get paid more quickly, no class member will receive any additional money as part of the settlement. Oregon Law Center is not receiving any attorney’s fees as part of the settlement.

OED is not admitting liability as part of this settlement, but has agreed to take the steps above, which it believes are in the interest of all Oregonians.

If OED violates the agreement, Oregon Law Center attorneys can ask the settlement judge to take action to ensure that OED lives up to its promises. Under certain circumstances—for example, if there is a large increase in new claims, a natural disaster, or another event that substantially interferes with OED’s ability to make prompt decisions—OED’s obligations are “paused” for 90 days.

The settlement agreement will end after OED has met its obligation for 6 months in a row, has met its obligations for 9 months total, or after 18 months have passed. However, if the settlement isn’t completed in 18 months and OED has had too many “pauses”, the settlement agreement could be extended.

What if I don’t agree with the settlement?

If you are a class member, you have a right to object to any part of the settlement agreement. You can write to the class attorneys at ClassActionObjections@oregonlawcenter.org or

Oregon Law Center
Attn: Beth Englander
Class Action Objection
522 SW Fifth Avenue, Suite 812
Portland, OR 97204

to explain your objections. The deadline to send written objections is Friday, March 5, 2021.

What happens next?

The court must evaluate the proposed agreement, take into account any objections, and approve the settlement if it is a fair and equitable resolution of the claims. Multnomah County Circuit Court has scheduled a fairness hearing by telephone for March 16, 2021 at 8:30am. You have a right to call into the hearing by dialing (503) 388-9555 and entering code 146 138 2814. You are not required to attend the hearing.

This notice describes a proposed class action settlement. In the proposed settlement, the Oregon Employment Department promises to make policy changes to speed up decisions about unemployment benefits. Individual class members will not receive money under the agreement. For more information in a language other than English, contact the Oregon Law Center at 503-473-8682.

Este aviso describe un acuerdo propuesto para la demanda colectiva. En el acuerdo propuesto, el Departamento de Empleo de Oregon se compromete a realizar cambios en su política para agilizar la toma de decisiones sobre los beneficios por desempleo. Los miembros individuales no obtendrán dinero de este acuerdo. Para obtener más información en otro idioma además del inglés, comuníquese con El Centro de Leyes de Oregon al 503-473-8682.

此通知描述一則拟议的集体诉讼和解方案。在该拟议和解方案中，俄勒冈就业部同意做出政策调整，以加速其在失业救济金的问题上做出决定。集体诉讼的个人将不会从该解决方案中得到赔偿。欲获取英语以外其他语言的更多信息，请致电俄勒冈法律中心：503-473-8682。

Tsab ntawv tshaj tawm no piav qhia txog kev yuav daws cov teeb meem sib foob hauv pab pawg. Hauv qhov kev thov hais daws, Oregon Employment Department pom zoo hloov pauv txoj cai tswjfw m kom nws txiav txim siab ceev txog cov nyiaj poob haujlwm. Cov tswvcuab ntawm pawg yuav tsis tau txais nyiaj los ntawm txoj kev daws teeb meem no. Xav paub ntau ntxiv txog lwm hom lus uas tsis yog lus Askiv, hu Oregon Law Center ntawm 503-473-8682.

សេចក្តីជូនដំណឹងនេះពិពណ៌នាអំពីការទូទាត់សម្រាប់សកម្មភាពថ្នាក់រៀនដែល

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ដើម្បីពន្លឿនការសម្រេចចិត្តរបស់ខ្លួនអំពីអត្ថ

ប្រយោជន៍នៃភាពគ្មានការងារធ្វើ។ សមាជិកថ្នាក់នីមួយៗនឹងមិនទទួលបានប្រាក់ពីការទូទាត់នេះទេ។ ចំពោះព័ត៌មានបន្ថែមជាភាសាផ្សេងក្រៅពីអង់គ្លេស សូមទូរសព្ទទៅមជ្ឈមណ្ឌលច្បាប់ រដ្ឋ Oregon តាមលេខ 503-473-8682។

ແຈ້ງການສະບັບນີ້ອະທິບາຍເຖິງການສະເໜີລະງັບຄະດີທີ່ມີການພ້ອງໃນນາມກຸ່ມບຸກຄົນ. ໃນການສະເໜີເພື່ອລະງັບຄະດີ, ພະແນກຈັດຈ້າງງານຂອງລັດອໍຣິກອນ (Oregon Employment Department) ເຫັນດີໃຫ້ດຳເນີນການປ່ຽນແປງໃນນະໂຍບາຍເພື່ອເລັ່ງເວລາການຕັດສິນໃຈຂອງຕົນກ່ຽວກັບຜົນປະໂຫຍດການວ່າງງານ. ສະມາຊິກບຸກຄົນຂອງກຸ່ມຈະບໍ່ໄດ້ຮັບເງິນຈາກການລະງັບຄະດີຄັ້ງນີ້. ສຳລັບຂໍ້ມູນເພີ່ມເຕີມໃນພາສາອື່ນທີ່ບໍ່ແມ່ນພາສາອັງກິດ, ໃຫ້ໂທຫາສູນກົດໝາຍແຫ່ງອໍຣິກອນທີ່ 503-473-8682..

Naaiv zeiv zunh fiensex sou se porv mbuox yietc nyeic gorngv taux mbenc zoux gong puix horpc yiem gu'nyuoz horqc qongz. Yiem naaiv deix box mbenc paaiv-dauh waac, ninh mbuo Oregon gunv goux cingv gong ze'weic domh gorn duqv buac longx nqoi nzuih liouh tiuv yient doh leiz siang bun dorh mingh tengx dunz lorqc doih waac tengx ndortv gong nyaanh siepv faaux. Da'dauh mienh dungh yiem njiec naaic qongz horqc yaac maiv duqv zipv tengx nyaanh yiem njiec naaiv this lorqc doih waac-gorn. Liouh lorx mangc waac-fienx jaa dungh gorngv benx da'nyeic fingz waac dungh maiv zeiz benx ang gitv waac wuov, douc waac mingh lorx taux Oregon goux doh leiz domh gorn yiem njiec naaic 503-473-8682.

Prezenta notificare descrie metoda propusă de soluționare a acțiunii colective în justiție. În soluționarea propusă, Departamentul pentru ocuparea forței de muncă Oregon (Oregon Employment Department) convine să modifice politicile în sensul urgentării deciziilor referitoare la ajutorul de șomaj. Membrii individuali ai acțiunii colective nu vor obține prestații ca urmare a prezentei soluționări. Pentru a obține informații într-o altă limbă decât limba engleză, sunați la Centrul Juridic Oregon (Oregon Law Center) la numărul 503-473-8682.

В настоящем уведомлении описывается предлагаемое урегулирование группового иска. В рамках предлагаемого урегулирования Департамент трудоустройства штата Орегон соглашается внести изменения в свои рабочие процедуры для ускорения процесса принятия решений в отношении пособий по безработице. Выплата денежных средств отдельным участникам группового иска в результате такого урегулирования не предусматривается. Для получения дополнительной информации на языках, отличных от английского, позвоните в Юридический центр штата Орегон по телефону 503-473-8682.

Thông báo này mô tả một thủ tục dàn xếp đề xuất cho vụ kiện tập thể. Trong thủ tục dàn xếp đề xuất, Sở Lao Động Oregon đồng ý thực hiện các thay đổi chính sách để đẩy nhanh quy trình quyết định về phúc lợi bảo hiểm thất nghiệp. Các thành viên cá nhân trong vụ kiện tập thể sẽ không nhận được tiền từ thủ tục dàn xếp này. Để biết thêm thông tin bằng một ngôn ngữ không phải tiếng Anh, hãy gọi cho Trung Tâm Luật Oregon theo số 503-473-8682.