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PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 839
BUREAU OF LABOR AND INDUSTRIES

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& LEGISLATIVE COUNSEL

FILING CAPTION: Amends Wage Security Fund rules to implement OL CH. 444 (2019)

EFFECTIVE DATE: 01/01/2020

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AMEND: 839-001-0520

NOTICE FILED DATE: 09/26/2019

RULE SUMMARY: Implements changes made by OL CH. 444 (2019): Increases the amount of wages that may be paid out of the Wage Security Fund from \$4,000 to \$10,000.

CHANGES TO RULE:

839-001-0520

Amount of Claim to Be Paid from the Wage Security Fund ¶

(1) Except as provided in sections (2) and (3) of this rule, after a wage claim is determined to be eligible for payment from the Fund, the amount to be paid shall be:¶

(a) The unpaid amount of wages earned within 60 days before the date of the cessation of business; or¶

(b) If the claimant filed a wage claim before the cessation of business, the unpaid amount of wages earned within 60 days before the last day the claimant was employed.¶

(2) The commissioner shall pay the amount of wages earned as provided in section (1) only to the extent of \$410,000.¶

(3) When the amount of a valid wage claim determined to be eligible for payment is greater than the amount available in the Fund for paying such claims, payments on wage claims shall be prorated in accordance with OAR 839-001-0530.

Statutory/Other Authority: ORS 651.060(4), 652

Statutes/Other Implemented: ORS 652.414, OL CH. 444, 2019