

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form..

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on [06/25/2009] by the
Oregon Employment Department, Unemployment Insurance Division
Date prior to or same as filing date OAR 471

Agency and Division	Administrative Rules Chapter Number
Janet Orton	(503) 947-1724
Rules Coordinator	Telephone
875 Union St NE, Salem OR 97311	
Address	

to become effective [06/29/2009] through [12/26/2009].
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Amends language regarding domestic violence and members of an individual's immediate family.

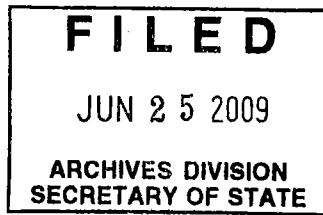
RULEMAKING ACTION

List each rule number separately, 000-000-0000.
Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

☐ **ADOPT:** OAR

☒ **AMEND:** OAR 471-030-0150

☐ **SUSPEND:** OAR



Stat. Auth.: ORS 657.610

Other Auth.: ORS

Stats. Implemented: ORS

RULE SUMMARY

Amends language in the domestic violence rule to define "member of an individual's immediate family."

	Tom Byerley, Assistant Director for UI	06/25/2009
Signature	Printed name	Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. ARC 940-2005

ED 2-2009 (TEMP)

Secretary of State

STATEMENT OF NEED AND JUSTIFICATION

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

Oregon Employment Department, Unemployment Insurance Division

OAR 471

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Amend OAR 471 - 030-0150

Rule Caption: Amends language regarding ~~compelling family reasons for work separations~~ **DOMESTIC VIOLENCE AND MEMBERS OF AN INDIVIDUAL'S IMMEDIATE FAMILY**

Statutory Authority: ORS 657.610


Other Authority:

Stats. Implemented: ORS

Need for the Temporary Rule(s): This amendment will update Oregon's language in compliance with the federal "UI Modernization" effort to expand UI coverage.

Documents Relied Upon, and where they are available: ORS 657, OAR 471, available from the Secretary of State's website or by contacting the Employment Department Rules Coordinator at rules.emp@state.or.us or (503) 947-1724 or by visiting the Employment Department's website: www.workinginoregon.org

Justification of Temporary Rule(s): By amending this rule, Oregon becomes eligible for additional federal funding.

	Tom Byerley, Assistant Director for UI	06/25/2009
Signature	Printed name	Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 945-2005

471-030-0150

Domestic Violence

- (1) As used in ORS 657.176(12) and for purposes of this rule, "a member of the individual's immediate family" has the same meaning as the term is defined in OAR 471-030-0038(1).
- (2) As used in ORS 657.176(12), "domestic violence" means the physical injury, sexual assault or forced imprisonment, or threat thereof, of a person by another who is related by blood or marriage or has a significant relationship with the other person at the present, or who has been related or has had a significant relationship at some time in the past, to the extent that the person's health, safety or welfare is harmed or threatened thereby.
- (3) As used in ORS 657.176(12), "stalking" means:
 - (a) The person intentionally, knowingly or recklessly engages in repeated and unwanted contact with the other person thereby alarming or coercing the other person;
 - (b) It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and
 - (c) The repeated and unwanted contact causes the individual or a member of the individual's immediate family reasonable apprehension regarding the personal safety of the individual or the family member.
- (4) As used in ORS 657.176(12), "sexual assault" means any unwanted touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party.
- (5) The effective date for implementing this rule shall be June 29, 2009.