

Task Force on Removing Barriers to Jury Service Oregon Revised Statutes and Oregon Administrative Rules

[Oregon Revised Statutes Chapter 10 \(opens link to external website\)](#)

General Provisions

ORS 10.090 Prohibited acts by employers against jurors; notice to jurors; remedy for violations.

- (1) An employer commits an unlawful employment practice under ORS chapter 659A if the employer discharges, threatens to discharge, intimidates or coerces any employee by reason of the employee's service or scheduled service as a juror on a grand jury, trial jury or jury of inquest.
- (2) An employer may not require that an employee use vacation leave, sick leave or annual leave for time spent by the employee in responding to a summons for jury duty, and the employer shall allow the employee to take leave without pay for time spent by the employee in responding to a summons for jury duty.
- (3) This section may not be construed to alter or affect an employer's policies or agreements with employees concerning employees' wages during times when an employee serves or is scheduled to serve as a juror.
- (4) When summoning jurors, the person whose duty it is under the law to summon shall notify each juror of the juror's rights under this section.
- (5) An employee who alleges a violation of subsection (1) of this section may bring a civil action under ORS 659A.885 or may file a complaint with the Commissioner of the Bureau of Labor and Industries in the manner provided by ORS 659A.820.

ORS 10.092 Insurance coverage for employee during jury service; unlawful employment practice.

- (1) An employer who employs 10 or more persons commits an unlawful employment practice under ORS chapter 659A if:
 - (a) The employer ceases to provide health, disability, life or other insurance coverage for an employee during times when the employee serves or is scheduled to serve as a juror; and
 - (b) The employee elected to have coverage continued while the employee served or was scheduled to serve as a juror, and the employee provided notice of that election to the employer in compliance with the employer's policy for notification.

- (2) Notwithstanding ORS 652.610 (3), if, following an election described in subsection (1) of this section, an employer is required or elects to pay any part of the costs of providing health, disability, life or other insurance coverage for the employee that should have been paid by the employee, the employer may deduct from the employee's pay such amounts upon the employee's return to work until the amount the employer advanced toward the payments is paid. The total amount deducted for insurance under this subsection may not exceed 10 percent of the employee's gross pay each pay period.
- (3) Notwithstanding ORS 652.610 (3), if the employer pays any part of the costs of providing health, disability, life or other insurance coverage for an employee under subsection (2) of this section, and the employee ceases to work for the employer before the total amount the employer advanced toward the payments is paid, the employer may deduct the remaining amounts from any amounts owed by the employer to the employee or may seek to recover those amounts by any other legal means.
- (4) An employee who alleges a violation of this section may bring a civil action under ORS 659A.885 or may file a complaint with the Commissioner of the Bureau of Labor and Industries in the manner provided by ORS 659A.820.

[Oregon Revised Statutes Chapter 657 \(opens link to external website\)](#)

Benefits and Claims (Generally)

ORS 657.155 Benefit eligibility conditions; rules.

- (1) An unemployed individual shall be eligible to receive benefits with respect to any week only if the Director of the Employment Department finds that:
 - (a) The individual has registered for work at and thereafter has continued to report at an employment office in accordance with such rules as the director may prescribe. However, the director may, by rule, waive or alter either or both of the requirements of this subsection as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which the director finds that compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this chapter; provided, that no such rule conflicts with ORS 657.255.
 - (b) The individual has made a claim for benefits with respect to such week in accordance with ORS 657.260.
 - (c) The individual is able to work, is available for work, and is actively seeking and unable to obtain suitable work. No individual participating in a community work and training program, as defined in ORS 411.855, shall, solely by reason thereof, be unavailable for work within the meaning of this section.
 - (d) The individual has been unemployed for a waiting period of one week, unless the Governor has waived the required waiting period as provided in ORS 401.186.

- (e) The individual is not disqualified from benefits or ineligible for benefits under any other section of this chapter.
 - (f) The individual is qualified for benefits under ORS 657.150.
- (2)
- (a) An individual who leaves the individual's normal labor market area for the major portion of any week is presumed to be unavailable for work within the meaning of this section.
 - (b) The presumption described in paragraph (a) of this subsection may be overcome if the individual establishes to the satisfaction of the director that the individual:
 - (A) Has conducted a bona fide search for work and has been reasonably accessible to suitable work in the labor market area in which the individual spent the major portion of the week to which the presumption applies; or
 - (B) Was required to be outside the individual's normal labor market area to apply for suitable employment within the individual's normal labor market.
- (3) The director shall either promptly allow credit or pay benefits for any week for which benefits are claimed or promptly give notice of denial thereof in the manner provided in ORS 657.267 and 657.268.

[Oregon Administrative Rules 471-030-0120 \(opens link to external website\)](#)

Unemployment Insurance Benefits and Claims

471-030-0120 Jury Duty

For purposes of ORS 657.155(1)(c), an individual who is in all respects otherwise eligible for unemployment insurance benefits shall not be denied benefits solely by reason of serving on jury duty provided:

- (1) The individual does not miss an opportunity to perform suitable work as a result of jury duty; and
- (2) The individual actively sought work during the hours and days of the week in which the individual was not engaged in serving on jury duty.