

United States Senate

WASHINGTON, DC 20510

May 29, 2020

Kay Erickson
Director
Oregon Employment Department
875 Union Street NE
Salem, OR 97311

Dear Director Erickson,

With over 440,000 jobless claims filed with the Oregon Employment Department (OED) since this crisis began, the need for swift expansion of unemployment programs is dire. This is a challenge that we knew would be a massive effort for state unemployment agencies, with an influx of jobless claims that we have not experienced in our lifetimes. However, it appears that there is an unacceptable delay in processing claims and payments, with new reporting that indicates almost half of Oregon's jobless claims filed since the coronavirus crisis began have yet to be paid.¹

OED had previously reported a backlog of 38,000 cases, which on its own is a large but understandable number given the volume of claims the state has been inundated with. But we now know that while OED has processed 366,000 claims, many of them have not actually been paid. As many as 200,000 Oregonians have yet to receive benefits in order to pay bills, buy groceries, pay rent or mortgages, and weather this crisis with dignity.

There are thousands of Oregonians waiting for answers about the cause for this delay. OED's lack of proactive communication with the public has rightly created intense frustration. The intent of the expanded unemployment eligibility and payments I fought for in the CARES Act (H.R. 748) were to help Oregon's economy remain afloat during this crisis. When 200,000 families lack these vital funds to pay rent, utilities, support local businesses and contractors, buy groceries, and more, this impacts *all* of Oregon. A bottleneck of hundreds of millions of dollars held up at OED is felt far and wide.

I understand there are many factors that have complicated OED's ability to implement the unemployment changes authorized by the CARES Act. These challenges are very real, but first and foremost, it is essential for the OED to be forthcoming, transparent, and clear with applicants during this difficult time. I ask that you take the time to clarify OED's process for the public, and provide information about what applicants can expect at each stage of their claim, and when payments will be made.

In that context, I would appreciate answers to the following questions:

1. Please provide updated numbers for the following:
 - a. Claims that have been processed.
 - b. Claims that have been denied, and the reasons for denial.
 - c. Claims that have been approved, but remain unpaid.
 - d. The average processing time for all claims (including complex claims).
 - e. The average processing time for claims labeled as complex claims.

¹ <https://www.oregonlive.com/business/2020/05/more-than-220000-oregonians-who-filed-for-jobless-benefits-during-coronavirus-outbreak-havent-been-paid.html>

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2. Can you please explain the reason for the delay between claims that have been processed, but that have not been paid and the average length of time between approval and payment?
3. Additionally, can you please provide clarity about when people with approved claims can expect to see their unemployment payments?
4. Can you confirm your plans to provide regular updates to applicants about any further delays or complications with processing claims? If these plans rely on mailed notices and phone communications, which have proven to be slow or ineffective, can you please provide alternatives that may reach a wider audience faster?

OED must bring to bear all available resources, including those authorized to you by the federal government, to do whatever it takes to provide Oregonians with these vital benefits in this difficult time. It has been more than two months since these resources have been approved by Congress. Please update my team and the public on a regular basis about the status of all claims you have received, and what your plans are for rapidly improving OED's ability to process backlogged claims and payments.

I want to thank you for your willingness to work together to provide answers to Oregonians who need information, and for your efforts to address the challenges that this crisis has created for Oregonians. If I, or my staff, can provide OED with any assistance please do not hesitate to let me know.

Sincerely,



Jeffrey A. Merkley
United States Senator