
SUBSTITUTE HOUSE BILL 1599

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Basich, Hargrove, Jones, Sheldon, Riley, P. Johnson, Bowman, Belcher, Cole, Brumsickle, Kremen, R. Johnson, Heavey, Morris, H. Myers, Peery, Rayburn, Jacobsen, R. King, Inslee, G. Fisher, Roland, Phillips, Orr, Cooper, Rasmussen and Spanel).

Read first time March 4, 1991.

1 AN ACT Relating to unemployment insurance; adding new sections to
2 chapter 50.22 RCW; creating a new section; providing an effective date;
3 and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 50.22 RCW
6 to read as follows:

7 (1) An additional benefit period is established beginning on the
8 first Sunday after the effective date of this act. No new claims for
9 additional benefits will be accepted for weeks beginning after July 3,
10 1993, but for claims established on or before July 3, 1993, weeks of
11 unemployment occurring after July 3, 1993, shall be compensated as
12 provided in this section. This additional benefit period shall be
13 suspended with the start of an extended benefit period, or any totally
14 federally funded benefit program, with eligibility criteria and
15 benefits comparable to the program established by this section and

1 section 2 of this act, and shall resume the first week following the
2 end of the federal program.

3 (2) The weekly benefit amount shall be calculated as specified in
4 RCW 50.22.040.

5 (3) The total additional benefit amount shall be the least of:

6 (a) One hundred percent of regular benefits payable under this
7 title;

8 (b) Twenty-six times the individual's weekly benefit amount; or

9 (c) Fifty-two times the individual's weekly benefit amount, reduced
10 by the total amount of regular benefits and extended benefits paid, or
11 deemed paid, with respect to the benefit year.

12 (4) Additional benefits shall not be payable for weeks more than
13 one year beyond the end of the benefit year of the regular claim.

14 (5) Additional benefits shall be payable for up to five weeks
15 following the completion of the training required by section 2 of this
16 act.

17 (6) Benefits paid under this section shall be paid under the same
18 terms and conditions as regular benefits, shall be paid subject to
19 rules adopted by the commissioner to implement this section and section
20 2 of this act, and shall not be charged to the experience rating
21 account of individual employers.

22 (7) For the purposes of this section:

23 (a) "Additional benefit period" means a period applicable to a
24 county that:

25 (i) Begins with the third week after a week in which the
26 commissioner determines that the county meets two or more of the
27 following three criteria:

28 (A) A lumber and wood products employment location quotient equal
29 to or greater than the state average during the prior twelve-month
30 period;

1 (B) Direct lumber and wood products job loss of one hundred jobs or
2 more in the prior twelve-month period;

3 (C) A county annual insured unemployment rate that is twenty
4 percent above the state annual insured unemployment rate for the prior
5 calendar year; and

6 (ii) Ends no sooner than fifty-two weeks after the additional
7 benefit period begins.

8 (b) "Annual insured unemployment rate" means the percentage derived
9 by dividing the average weekly number of individuals filing claims for
10 weeks of unemployment with respect to the most recent fifty-two
11 consecutive week period, as determined by the commissioner on the basis
12 of the department's reports to the United States secretary of labor, by
13 the average monthly employment covered under this title for the first
14 four of the most recent six completed calendar quarters ending before
15 the end of such fifty-two week period. The division shall be carried
16 to the fourth decimal place with any remaining fraction disregarded.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 50.22 RCW
18 to read as follows:

19 (1) An additional benefit eligibility period is established for
20 any exhaustee who:

21 (a)(i) At the time of last separation from employment, resided in
22 or was employed in a county identified under section 1(7) of this act;
23 or

24 (ii) During his or her base year, earned wages in three hundred
25 forty or more hours of lumber and wood products employment in a county
26 identified under section 1(7) of this act; and

27 (b) Has received notice of a permanent termination of employment
28 from the individual's employer or has been laid off and is unlikely to
29 return to his or her previous employment because work opportunities at

1 the individual's most recent workplace or in the individual's most
2 recent occupation have been substantially reduced; and

3 (c) Is notified by the department of the requirements of this
4 section and develops an individual training program which is submitted
5 to the commissioner for approval not later than sixty days after the
6 individual is notified of the requirements of this section, and enters
7 the approved training program not later than ninety days after the date
8 of the individual's termination or layoff, or ninety days after the
9 effective date of this act, whichever is later, unless the department
10 determines that the training is not available during the ninety-day
11 period, in which case the individual shall enter training as soon as it
12 is available; and

13 (d) Is enrolled in training on a full-time basis and maintains
14 satisfactory progress in the training; and

15 (e) Does not receive a training allowance or stipend under the
16 provisions of any federal or state law.

17 (2) For the purposes of this section:

18 (a) "Training program" means:

19 (i) A remedial education program determined to be necessary after
20 counseling at the educational institution in which the individual
21 enrolls pursuant to his or her approved training program; or

22 (ii) A vocational training program at an educational institution
23 that:

24 (A) Is training for a labor demand occupation;

25 (B) Is likely to facilitate a substantial enhancement of the
26 individual's marketable skills and earning power; and

27 (C) Does not include on-the-job training or other training under
28 which the individual is paid by an employer for work performed by the
29 individual during the time that the individual receives additional
30 benefits under section 1 of this act.

1 (b) "Educational institution" means an institution of higher
2 education as defined in RCW 28B.10.016 or an educational institution as
3 defined in RCW 28C.04.410(3).

4 (c) "Training allowance or stipend" means discretionary use, cash-
5 in-hand payments available to the individual to be used as the
6 individual sees fit, but does not mean direct or indirect compensation
7 for training costs, such as tuition or books and supplies.

8 NEW SECTION. **Sec. 3.** If any part of this act is found to be
9 in conflict with federal requirements which are a prescribed condition
10 to the allocation of federal funds to the state or the eligibility of
11 employers in this state for federal unemployment tax credits, the
12 conflicting part of this act is hereby declared to be inoperative
13 solely to the extent of the conflict, and such finding or determination
14 shall not affect the operation of the remainder of this act. The rules
15 under this act shall meet federal requirements which are a necessary
16 condition to the receipt of federal funds by the state or the granting
17 of federal unemployment tax credits to employers in this state.

18 NEW SECTION. **Sec. 4.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

22 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and shall take
25 effect July 1, 1991.