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**SUBSTITUTE HOUSE BILL 2553**

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**State of Washington                      61st Legislature                      2010 Regular Session**

**By** House Commerce & Labor (originally sponsored by Representatives Conway, Green, White, Appleton, Simpson, Ormsby, Moeller, and Roberts)

READ FIRST TIME 02/03/10.

1            AN ACT Relating to improving unemployment benefits; amending RCW  
2 50.20.100, 50.20.119, and 50.20.240; reenacting and amending RCW  
3 50.20.050 and 50.29.021; adding a new section to chapter 50.20 RCW; and  
4 creating new sections.

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

6            NEW SECTION.    **Sec. 1.** The legislature finds that the fundamental  
7 purposes of the unemployment insurance system are to provide partial  
8 wage replacement to unemployed workers, to provide families and  
9 communities with a degree of economic stability, and to counter the  
10 harmful effects of economic downturns by providing the economy with an  
11 economic stimulus. To that end, the legislature finds that eligibility  
12 requirements, disqualification provisions, and benefit amounts should  
13 be improved to enhance the effects of the unemployment insurance system  
14 on individuals, families, and communities.

15            **Sec. 2.** RCW 50.20.050 and 2009 c 493 s 3 and 2009 c 247 s 1 are  
16 each reenacted and amended to read as follows:

17            (1) With respect to claims that have an effective date on or after

1 January 4, 2004, and ((for)) separations that occur before September 6,  
2 2009:

3 (a) An individual shall be disqualified from benefits beginning  
4 with the first day of the calendar week in which he or she has left  
5 work voluntarily without good cause and thereafter for seven calendar  
6 weeks and until he or she has obtained bona fide work in employment  
7 covered by this title and earned wages in that employment equal to  
8 seven times his or her weekly benefit amount.

9 The disqualification shall continue if the work obtained is a mere  
10 sham to qualify for benefits and is not bona fide work. In determining  
11 whether work is of a bona fide nature, the commissioner shall consider  
12 factors including but not limited to the following:

13 (i) The duration of the work;

14 (ii) The extent of direction and control by the employer over the  
15 work; and

16 (iii) The level of skill required for the work in light of the  
17 individual's training and experience.

18 (b) An individual is not disqualified from benefits under (a) of  
19 this subsection when:

20 (i) He or she has left work to accept a bona fide offer of bona  
21 fide work as described in (a) of this subsection;

22 (ii) The separation was necessary because of the illness or  
23 disability of the claimant or the death, illness, or disability of a  
24 member of the claimant's immediate family if:

25 (A) The claimant pursued all reasonable alternatives to preserve  
26 his or her employment status by requesting a leave of absence, by  
27 having promptly notified the employer of the reason for the absence,  
28 and by having promptly requested reemployment when again able to assume  
29 employment. These alternatives need not be pursued, however, when they  
30 would have been a futile act, including those instances when the  
31 futility of the act was a result of a recognized labor/management  
32 dispatch system; and

33 (B) The claimant terminated his or her employment status, and is  
34 not entitled to be reinstated to the same position or a comparable or  
35 similar position;

36 (iii)(A) With respect to claims that have an effective date before  
37 July 2, 2006, he or she: (I) Left work to relocate for the spouse's  
38 employment that, due to a mandatory military transfer: (1) Is outside

1 the existing labor market area; and (2) is in Washington or another  
2 state that, pursuant to statute, does not consider such an individual  
3 to have left work voluntarily without good cause; and (II) remained  
4 employed as long as was reasonable prior to the move;

5 (B) With respect to claims that have an effective date on or after  
6 July 2, 2006, he or she: (I) Left work to relocate for the spouse's  
7 employment that, due to a mandatory military transfer, is outside the  
8 existing labor market area; and (II) remained employed as long as was  
9 reasonable prior to the move;

10 (iv) The separation was necessary to protect the claimant or the  
11 claimant's immediate family members from domestic violence, as defined  
12 in RCW 26.50.010, or stalking, as defined in RCW 9A.46.110;

13 (v) The individual's usual compensation was reduced by twenty-five  
14 percent or more;

15 (vi) The individual's usual hours were reduced by twenty-five  
16 percent or more;

17 (vii) The individual's worksite changed, such change caused a  
18 material increase in distance or difficulty of travel, and, after the  
19 change, the commute was greater than is customary for workers in the  
20 individual's job classification and labor market;

21 (viii) The individual's worksite safety deteriorated, the  
22 individual reported such safety deterioration to the employer, and the  
23 employer failed to correct the hazards within a reasonable period of  
24 time;

25 (ix) The individual left work because of illegal activities in the  
26 individual's worksite, the individual reported such activities to the  
27 employer, and the employer failed to end such activities within a  
28 reasonable period of time;

29 (x) The individual's usual work was changed to work that violates  
30 the individual's religious convictions or sincere moral beliefs; or

31 (xi) The individual left work to enter an apprenticeship program  
32 approved by the Washington state apprenticeship training council.  
33 Benefits are payable beginning Sunday of the week prior to the week in  
34 which the individual begins active participation in the apprenticeship  
35 program.

36 (2) With respect to separations that occur on or after September 6,  
37 2009, and before July 4, 2010:

1 (a) An individual shall be disqualified from benefits beginning  
2 with the first day of the calendar week in which he or she has left  
3 work voluntarily without good cause and thereafter for seven calendar  
4 weeks and until he or she has obtained bona fide work in employment  
5 covered by this title and earned wages in that employment equal to  
6 seven times his or her weekly benefit amount. Good cause reasons to  
7 leave work are limited to reasons listed in (b) of this subsection.

8 The disqualification shall continue if the work obtained is a mere  
9 sham to qualify for benefits and is not bona fide work. In determining  
10 whether work is of a bona fide nature, the commissioner shall consider  
11 factors including but not limited to the following:

12 (i) The duration of the work;

13 (ii) The extent of direction and control by the employer over the  
14 work; and

15 (iii) The level of skill required for the work in light of the  
16 individual's training and experience.

17 (b) An individual has good cause and is not disqualified from  
18 benefits under (a) of this subsection only under the following  
19 circumstances:

20 (i) He or she has left work to accept a bona fide offer of bona  
21 fide work as described in (a) of this subsection;

22 (ii) The separation was necessary because of the illness or  
23 disability of the claimant or the death, illness, or disability of a  
24 member of the claimant's immediate family if:

25 (A) The claimant pursued all reasonable alternatives to preserve  
26 his or her employment status by requesting a leave of absence, by  
27 having promptly notified the employer of the reason for the absence,  
28 and by having promptly requested reemployment when again able to assume  
29 employment. These alternatives need not be pursued, however, when they  
30 would have been a futile act, including those instances when the  
31 futility of the act was a result of a recognized labor/management  
32 dispatch system; and

33 (B) The claimant terminated his or her employment status, and is  
34 not entitled to be reinstated to the same position or a comparable or  
35 similar position;

36 (iii) The claimant: (A) Left work to relocate for the employment  
37 of a spouse or domestic partner that is outside the existing labor

1 market area; and (B) remained employed as long as was reasonable prior  
2 to the move;

3 (iv) The separation was necessary to protect the claimant or the  
4 claimant's immediate family members from domestic violence, as defined  
5 in RCW 26.50.010, or stalking, as defined in RCW 9A.46.110;

6 (v) The individual's usual compensation was reduced by twenty-five  
7 percent or more;

8 (vi) The individual's usual hours were reduced by twenty-five  
9 percent or more;

10 (vii) The individual's worksite changed, such change caused a  
11 material increase in distance or difficulty of travel, and, after the  
12 change, the commute was greater than is customary for workers in the  
13 individual's job classification and labor market;

14 (viii) The individual's worksite safety deteriorated, the  
15 individual reported such safety deterioration to the employer, and the  
16 employer failed to correct the hazards within a reasonable period of  
17 time;

18 (ix) The individual left work because of illegal activities in the  
19 individual's worksite, the individual reported such activities to the  
20 employer, and the employer failed to end such activities within a  
21 reasonable period of time;

22 (x) The individual's usual work was changed to work that violates  
23 the individual's religious convictions or sincere moral beliefs; or

24 (xi) The individual left work to enter an apprenticeship program  
25 approved by the Washington state apprenticeship training council.  
26 Benefits are payable beginning Sunday of the week prior to the week in  
27 which the individual begins active participation in the apprenticeship  
28 program.

29 (3) With respect to separations that occur on or after July 4,  
30 2010:

31 (a) Except as provided in (b) and (c) of this subsection, an  
32 individual shall be disqualified from benefits beginning with the first  
33 day of the calendar week in which he or she has left work voluntarily  
34 and thereafter for seven calendar weeks and until he or she has  
35 obtained bona fide work in employment covered by this title and earned  
36 wages in that employment equal to seven times his or her weekly benefit  
37 amount.

1       The disqualification shall continue if the work obtained is a mere  
2 sham to qualify for benefits and is not bona fide work. In determining  
3 whether work is of a bona fide nature, the commissioner shall consider  
4 factors including but not limited to the following:

5       (i) The duration of the work;

6       (ii) The extent of direction and control by the employer over the  
7 work; and

8       (iii) The level of skill required for the work in light of the  
9 individual's training and experience.

10       (b) An individual is not disqualified from benefits under (a) of  
11 this subsection under the following circumstances:

12       (i) He or she has left work to accept a bona fide offer of bona  
13 fide work as described in (a) of this subsection;

14       (ii) The separation was necessary because of the illness or  
15 disability of the claimant or the death, illness, or disability of a  
16 member of the claimant's immediate family if:

17       (A) The claimant pursued all reasonable alternatives to preserve  
18 his or her employment status by requesting a leave of absence, by  
19 having promptly notified the employer of the reason for the absence,  
20 and by having promptly requested reemployment when again able to assume  
21 employment. These alternatives need not be pursued, however, when they  
22 would have been a futile act, including those instances when the  
23 futility of the act was a result of a recognized labor/management  
24 dispatch system; and

25       (B) The claimant terminated his or her employment status, and is  
26 not entitled to be reinstated to the same position or a comparable or  
27 similar position;

28       (iii) The claimant:

29       (A) Left work to relocate for the employment of a spouse or  
30 domestic partner that is outside the existing labor market area; and

31       (B) Remained employed as long as was reasonable prior to the move;

32       (iv) The separation was necessary to protect the claimant or the  
33 claimant's immediate family members from domestic violence, as defined  
34 in RCW 26.50.010, or stalking, as defined in RCW 9A.46.110;

35       (v) The individual's usual compensation was reduced by twenty-five  
36 percent or more;

37       (vi) The individual's usual hours were reduced by twenty-five  
38 percent or more;

1 (vii) The individual's worksite changed, such change caused a  
2 material increase in distance or difficulty of travel, and, after the  
3 change, the commute was greater than is customary for workers in the  
4 individual's job classification and labor market;

5 (viii) The individual's worksite safety deteriorated, the  
6 individual reported such safety deterioration to the employer, and the  
7 employer failed to correct the hazards within a reasonable period of  
8 time;

9 (ix) The individual left work because of illegal activities in the  
10 individual's worksite, the individual reported such activities to the  
11 employer, and the employer failed to end such activities within a  
12 reasonable period of time;

13 (x) The individual's usual work was changed to work that violates  
14 the individual's religious convictions or sincere moral beliefs; or

15 (xi) The individual left work to enter an apprenticeship program  
16 approved by the Washington state apprenticeship training council.  
17 Benefits are payable beginning Sunday of the week prior to the week in  
18 which the individual begins active participation in the apprenticeship  
19 program.

20 (c) An individual also is not disqualified from benefits under (a)  
21 of this subsection if the individual left work because continuing in  
22 employment would work an unreasonable hardship on the individual.  
23 "Unreasonable hardship" means a result not due to the individual's  
24 voluntary action that would cause a reasonable person to leave that  
25 employment. The circumstances must be based on existing facts, not  
26 conjecture, and the reasons for leaving work must be significant. An  
27 individual seeking to demonstrate unreasonable hardship must show that:

28 (i) The individual left work primarily for reasons connected with  
29 his or her employment;

30 (ii) The work-connected reasons were of such a compelling nature  
31 they would have caused a reasonably prudent person to leave work; and

32 (iii) The individual first exhausted all reasonable alternatives  
33 before leaving work, unless pursuing reasonable alternatives would have  
34 been futile.

35 (4) Notwithstanding subsections ((+2+)) (1) through (3) of this  
36 section, for separations occurring on or after July 26, 2009, an  
37 individual who was simultaneously employed in full-time employment and

1 part-time employment and is otherwise eligible for benefits from the  
2 loss of the full-time employment shall not be disqualified from  
3 benefits because the individual:

4 (a) Voluntarily quit the part-time employment before the loss of  
5 the full-time employment; and

6 (b) Did not have prior knowledge that he or she would be separated  
7 from full-time employment.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 50.20 RCW  
9 to read as follows:

10 With respect to claims that have an effective date on or after  
11 January 2, 2011, no otherwise eligible individual shall be denied  
12 benefits for any week by reason of the application of RCW  
13 50.20.010(1)(c), 50.20.080, or 50.22.020(1) relating to availability  
14 for work and active search for work, or failure to apply for or refusal  
15 to accept suitable work solely because the individual seeks, applies  
16 for, or accepts only part-time work, instead of full-time work, if the  
17 part-time work is for at least seventeen hours per week.

18 **Sec. 4.** RCW 50.20.100 and 2006 c 13 s 14 are each amended to read  
19 as follows:

20 (1) Suitable work for an individual is employment in an occupation  
21 in keeping with the individual's prior work experience, education, or  
22 training and if the individual has no prior work experience, special  
23 education, or training for employment available in the general area,  
24 then employment which the individual would have the physical and mental  
25 ability to perform. In determining whether work is suitable for an  
26 individual, the commissioner shall also consider the degree of risk  
27 involved to the individual's health, safety, and morals, the  
28 individual's physical fitness, the individual's length of unemployment  
29 and prospects for securing local work in the individual's customary  
30 occupation, the distance of the available work from the individual's  
31 residence, and such other factors as the commissioner may deem  
32 pertinent, including state and national emergencies.

33 (2) For individuals with base year work experience in agricultural  
34 labor, any agricultural labor available from any employer shall be  
35 deemed suitable unless it meets conditions in RCW 50.20.110 or the



1 commissioner finds elements of specific work opportunity unsuitable for  
2 a particular individual.

3 ~~(3) ((For part-time workers as defined in RCW 50.20.119, suitable~~  
4 ~~work includes suitable work under subsection (1) of this section that~~  
5 ~~is for seventeen or fewer hours per week.~~

6 (4)) For individuals who have qualified for unemployment  
7 compensation benefits under RCW 50.20.050 (1)(b)(iv) ~~((or))~~,  
8 (2)(b)(iv), or (3)(b)(iv), as applicable, an evaluation of the  
9 suitability of the work must consider the individual's need to address  
10 the physical, psychological, legal, and other effects of domestic  
11 violence or stalking.

12 **Sec. 5.** RCW 50.20.119 and 2006 c 13 s 15 are each amended to read  
13 as follows:

14 (1) With respect to claims that have an effective date on or after  
15 January 2, 2005, and before January 2, 2011, an otherwise eligible  
16 individual may not be denied benefits for any week because the  
17 individual is a part-time worker and is available for, seeks, applies  
18 for, or accepts only work of seventeen or fewer hours per week by  
19 reason of the application of RCW 50.20.010(1)(c), 50.20.080, or  
20 50.22.020(1) relating to availability for work and active search for  
21 work, or failure to apply for or refusal to accept suitable work.

22 (2) For purposes of this section, "part-time worker" means an  
23 individual who: (a) Earned wages in "employment" in at least forty  
24 weeks in the individual's base year; and (b) did not earn wages in  
25 "employment" in more than seventeen hours per week in any weeks in the  
26 individual's base year.

27 **Sec. 6.** RCW 50.20.240 and 2006 c 13 s 16 are each amended to read  
28 as follows:

29 (1)(a) To ensure that following the initial application for  
30 benefits, an individual is actively engaged in searching for work, the  
31 employment security department shall implement a job search monitoring  
32 program. Effective January 4, 2004, the department shall contract with  
33 employment security agencies in other states to ensure that individuals  
34 residing in those states and receiving benefits under this title are  
35 actively engaged in searching for work in accordance with the  
36 requirements of this section. The department may use interactive voice

1 technology and other electronic means to ensure that individuals are  
2 subject to comparable job search monitoring, regardless of whether they  
3 reside in Washington or elsewhere.

4 (b) Except for those individuals with employer attachment or union  
5 referral, individuals who qualify for unemployment compensation under  
6 RCW 50.20.050 (1)(b)(iv) (~~(e)~~), (2)(b)(iv) or, (3)(b)(iv), as  
7 applicable, and individuals in commissioner-approved training, an  
8 individual who has received five or more weeks of benefits under this  
9 title, regardless of whether the individual resides in Washington or  
10 elsewhere, must provide evidence of seeking work, as directed by the  
11 commissioner or the commissioner's agents, for each week beyond five in  
12 which a claim is filed. With regard to claims with an effective date  
13 before January 4, 2004, the evidence must demonstrate contacts with at  
14 least three employers per week or documented in-person job search  
15 activity at the local reemployment center. With regard to claims with  
16 an effective date on or after January 4, 2004, the evidence must  
17 demonstrate contacts with at least three employers per week or  
18 documented in-person job search activities at the local reemployment  
19 center at least three times per week.

20 (c) In developing the requirements for the job search monitoring  
21 program, the commissioner or the commissioner's agents shall utilize an  
22 existing advisory committee having equal representation of employers  
23 and workers.

24 (2) Effective January 4, 2004, an individual who fails to comply  
25 fully with the requirements for actively seeking work under RCW  
26 50.20.010 shall lose all benefits for all weeks during which the  
27 individual was not in compliance, and the individual shall be liable  
28 for repayment of all such benefits under RCW 50.20.190.

29 **Sec. 7.** RCW 50.29.021 and 2009 c 493 s 1, 2009 c 50 s 1, and 2009  
30 c 3 s 13 are each reenacted and amended to read as follows:

31 (1) This section applies to benefits charged to the experience  
32 rating accounts of employers for claims that have an effective date on  
33 or after January 4, 2004.

34 (2)(a) An experience rating account shall be established and  
35 maintained for each employer, except employers as described in RCW  
36 50.44.010, 50.44.030, and 50.50.030 who have properly elected to make  
37 payments in lieu of contributions, taxable local government employers

1 as described in RCW 50.44.035, and those employers who are required to  
2 make payments in lieu of contributions, based on existing records of  
3 the employment security department.

4 (b) Benefits paid to an eligible individual shall be charged to the  
5 experience rating accounts of each of such individual's employers  
6 during the individual's base year in the same ratio that the wages paid  
7 by each employer to the individual during the base year bear to the  
8 wages paid by all employers to that individual during that base year,  
9 except as otherwise provided in this section.

10 (c) When the eligible individual's separating employer is a covered  
11 contribution paying base year employer, benefits paid to the eligible  
12 individual shall be charged to the experience rating account of only  
13 the individual's separating employer if the individual qualifies for  
14 benefits under:

15 (i) RCW 50.20.050 (1)(b)(i), (2)(b)(i), or (3)(b)(i), as  
16 applicable, and became unemployed after having worked and earned wages  
17 in the bona fide work; or

18 (ii) RCW 50.20.050 (1)(b) (v) through (x), (2)(b) (v) through (x),  
19 or (3)(b) (v) through (x), as applicable.

20 (3) The legislature finds that certain benefit payments, in whole  
21 or in part, should not be charged to the experience rating accounts of  
22 employers except those employers described in RCW 50.44.010, 50.44.030,  
23 and 50.50.030 who have properly elected to make payments in lieu of  
24 contributions, taxable local government employers described in RCW  
25 50.44.035, and those employers who are required to make payments in  
26 lieu of contributions, as follows:

27 (a) Benefits paid to any individual later determined to be  
28 ineligible shall not be charged to the experience rating account of any  
29 contribution paying employer. However, when a benefit claim becomes  
30 invalid due to an amendment or adjustment of a report where the  
31 employer failed to report or inaccurately reported hours worked or  
32 remuneration paid, or both, all benefits paid will be charged to the  
33 experience rating account of the contribution paying employer or  
34 employers that originally filed the incomplete or inaccurate report or  
35 reports. An employer who reimburses the trust fund for benefits paid  
36 to workers and who fails to report or inaccurately reported hours  
37 worked or remuneration paid, or both, shall reimburse the trust fund

1 for all benefits paid that are based on the originally filed incomplete  
2 or inaccurate report or reports.

3 (b) Benefits paid to an individual filing under the provisions of  
4 chapter 50.06 RCW shall not be charged to the experience rating account  
5 of any contribution paying employer only if:

6 (i) The individual files under RCW 50.06.020(1) after receiving  
7 crime victims' compensation for a disability resulting from a nonwork-  
8 related occurrence; or

9 (ii) The individual files under RCW 50.06.020(2).

10 (c) Benefits paid which represent the state's share of benefits  
11 payable as extended benefits defined under RCW 50.22.010(6) shall not  
12 be charged to the experience rating account of any contribution paying  
13 employer.

14 (d) In the case of individuals who requalify for benefits under RCW  
15 50.20.050 or 50.20.060, benefits based on wage credits earned prior to  
16 the disqualifying separation shall not be charged to the experience  
17 rating account of the contribution paying employer from whom that  
18 separation took place.

19 (e) Benefits paid to an individual who qualifies for benefits under  
20 RCW 50.20.050 (1)(b) (iv) or (xi), (2)(b) (iv) or (xi) or (3)(b) (iv)  
21 or (xi), as applicable, shall not be charged to the experience rating  
22 account of any contribution paying employer.

23 (f) With respect to claims with an effective date on or after the  
24 first Sunday following April 22, 2005, benefits paid that exceed the  
25 benefits that would have been paid if the weekly benefit amount for the  
26 claim had been determined as one percent of the total wages paid in the  
27 individual's base year shall not be charged to the experience rating  
28 account of any contribution paying employer. This subsection (3)(f)  
29 does not apply to the calculation of contribution rates under RCW  
30 50.29.025 for rate year 2010 and thereafter.

31 (g) The forty-five dollar increase paid as part of an individual's  
32 weekly benefit amount as provided in RCW 50.20.1201 shall not be  
33 charged to the experience rating account of any contribution paying  
34 employer.

35 (h) With respect to claims where the minimum amount payable weekly  
36 is increased to one hundred fifty-five dollars pursuant to RCW  
37 50.20.1201(3), benefits paid that exceed the benefits that would have

1 been paid if the minimum amount payable weekly had been calculated  
2 pursuant to RCW 50.20.120 shall not be charged to the experience rating  
3 account of any contribution paying employer.

4 (i) Training benefits paid to an individual under RCW 50.22.155  
5 shall not be charged to the experience rating account of any  
6 contribution paying employer.

7 (4)(a) A contribution paying base year employer, not otherwise  
8 eligible for relief of charges for benefits under this section, may  
9 receive such relief if the benefit charges result from payment to an  
10 individual who:

11 (i) Last left the employ of such employer voluntarily for reasons  
12 not attributable to the employer;

13 (ii) Was discharged for misconduct or gross misconduct connected  
14 with his or her work not a result of inability to meet the minimum job  
15 requirements;

16 (iii) Is unemployed as a result of closure or severe curtailment of  
17 operation at the employer's plant, building, worksite, or other  
18 facility. This closure must be for reasons directly attributable to a  
19 catastrophic occurrence such as fire, flood, or other natural disaster;

20 (iv) Continues to be employed on a regularly scheduled permanent  
21 part-time basis by a base year employer and who at some time during the  
22 base year was concurrently employed and subsequently separated from at  
23 least one other base year employer. Benefit charge relief ceases when  
24 the employment relationship between the employer requesting relief and  
25 the claimant is terminated. This subsection does not apply to shared  
26 work employers under chapter 50.06 RCW; or

27 (v) Was hired to replace an employee who is a member of the  
28 military reserves or National Guard and was called to federal active  
29 military service by the president of the United States and is  
30 subsequently laid off when that employee is reemployed by their  
31 employer upon release from active duty within the time provided for  
32 reemployment in RCW 73.16.035.

33 (b) The employer requesting relief of charges under this subsection  
34 must request relief in writing within thirty days following mailing to  
35 the last known address of the notification of the valid initial  
36 determination of such claim, stating the date and reason for the  
37 separation or the circumstances of continued employment. The

1 commissioner, upon investigation of the request, shall determine  
2 whether relief should be granted.

3 NEW SECTION. **Sec. 8.** If any part of this act is found to be in  
4 conflict with federal requirements that are a prescribed condition to  
5 the allocation of federal funds to the state or the eligibility of  
6 employers in this state for federal unemployment tax credits, the  
7 conflicting part of this act is inoperative solely to the extent of the  
8 conflict, and the finding or determination does not affect the  
9 operation of the remainder of this act. Rules adopted under this act  
10 must meet federal requirements that are a necessary condition to the  
11 receipt of federal funds by the state or the granting of federal  
12 unemployment tax credits to employers in this state.

13 NEW SECTION. **Sec. 9.** If any provision of this act or its  
14 application to any person or circumstance is held invalid, the  
15 remainder of the act or the application of the provision to other  
16 persons or circumstances is not affected.

--- END ---