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SENATE BILL 6415

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State of Washington

54th Legislature

1996 Regular Session

By Senators Pelz, Newhouse and Kohl; by request of Employment Security Department

Read first time 01/15/96. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to employer sponsored programs for voluntary work  
2 force reductions; adding a new section to chapter 50.20 RCW; creating  
3 new sections; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) Many employers are reducing costs or restructuring their  
7 businesses through strategies that include work force reductions;

8 (2) When programs such as employer sponsored voluntary layoffs are  
9 successful, involuntary layoffs can sometimes be avoided altogether;  
10 and

11 (3) Voluntary participation in an employer initiated work force  
12 reduction process should not disqualify an unemployed worker from  
13 unemployment insurance benefits.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 50.20 RCW  
15 to read as follows:

16 A person shall be found to have left work for nondisqualifying  
17 reasons if he or she left work under the following conditions:

1 (1) The employer initiated a work force reduction program or  
2 process that involves voluntary layoff and may include financial or  
3 other inducements; and

4 (2) The individual volunteered to be included in the layoff or  
5 reduction-in-force or volunteered to participate in the employer's  
6 layoff or retirement program; and

7 (3) The employer retained discretion over which individuals are  
8 released; and

9 (4) The employer accordingly released the individual.

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

20 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and shall take  
23 effect immediately and shall apply to separations from employment on or  
24 after the effective date of this act.

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