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HOUSE BILL 2420

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Morris, Gardner, Linville, Hatfield, Conway, Anderson, Cole, Scott, Constantine, Costa, Kessler, Eickmeyer, Chopp and Mason

Read first time 01/13/98. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to extended unemployment benefit payments in rural  
2 natural resources impact areas; amending RCW 50.22.090; and providing  
3 an effective date.

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

5 **Sec. 1.** RCW 50.22.090 and 1997 c 367 s 4 are each amended to read  
6 as follows:

7 (1) An additional benefit period is established for rural natural  
8 resources impact areas, defined in (~~this section~~) RCW 43.31.601, and  
9 determined by the office of financial management and the employment  
10 security department. Benefits shall be paid as provided in subsection  
11 (3) of this section to exhaustees eligible under subsection (4) of this  
12 section.

13 (2) The additional benefit period for a county may end no sooner  
14 than fifty-two weeks after the additional benefit period begins.

15 (3) Additional benefits shall be paid as follows:

16 (a) No new claims for additional benefits shall be accepted for  
17 weeks beginning after July 1, 1999, but for claims established on or  
18 before July 1, 1999, weeks of unemployment occurring after July 1,  
19 1999, shall be compensated as provided in this section.

1 (b) The total additional benefit amount shall be one hundred four  
2 times the individual's weekly benefit amount, reduced by the total  
3 amount of regular benefits and extended benefits paid, or deemed paid,  
4 with respect to the benefit year. Additional benefits shall not be  
5 payable for weeks more than two years beyond the end of the benefit  
6 year of the regular claim for an individual whose benefit year ends on  
7 or after July 27, 1991, and shall not be payable for weeks ending on or  
8 after two years after March 26, 1992, for individuals who become  
9 eligible as a result of chapter 47, Laws of 1992.

10 (c) Notwithstanding the provisions of (b) of this subsection,  
11 individuals will be entitled to up to five additional weeks of benefits  
12 following the completion or termination of training.

13 (d) Notwithstanding the provisions of (b) of this subsection,  
14 individuals enrolled in prerequisite remedial education for a training  
15 program expected to last at least one year will be entitled to up to  
16 thirteen additional weeks of benefits which shall not count toward the  
17 total in (b) of this subsection.

18 (e) The weekly benefit amount shall be calculated as specified in  
19 RCW 50.22.040.

20 (f) Benefits paid under this section shall be paid under the same  
21 terms and conditions as regular benefits. The additional benefit  
22 period shall be suspended with the start of an extended benefit period,  
23 or any totally federally funded benefit program, with eligibility  
24 criteria and benefits comparable to the program established by this  
25 section, and shall resume the first week following the end of the  
26 federal program.

27 (g) The amendments in chapter 316, Laws of 1993 affecting  
28 subsection (3)(b) and (c) of this section shall apply in the case of  
29 all individuals determined to be monetarily eligible under this section  
30 without regard to the date eligibility was determined.

31 (4) An additional benefit eligibility period is established for any  
32 exhaustee who:

33 (a)(i) ~~At the time of last separation from employment ((resides in  
34 a county with an unemployment rate for 1996 at least twenty percent or  
35 more above the state average and at least fifteen percent above their  
36 own county unemployment rate in 1988 and the county meets one of the  
37 following two criteria:~~

38 ~~(A) It is a county with a lumber and woods products employment  
39 quotient at least three times the state average and has experienced~~

1 actual job losses in these industries since 1988 of one hundred jobs or  
2 more or fifty or more jobs in a county with a population of forty  
3 thousand or less; or

4 (B) ~~It is a county with a commercial salmon fishing employment~~  
5 ~~quotient at least three times the state average and has experienced~~  
6 ~~actual job losses in this industry since 1988 of one hundred jobs or~~  
7 ~~more or fifty or more jobs in a county with a population of forty~~  
8 ~~thousand or less; and~~

9 (I) ~~The exhaustee has during his or her base year earned wages of~~  
10 ~~at least one thousand hours; and~~

11 (II) ~~The exhaustee is determined by the employment security~~  
12 ~~department in consultation with its labor market and economic analysis~~  
13 ~~division to be a displaced worker)), resided in or was employed in a  
14 rural natural resources impact area as defined in RCW 43.31.601 and  
15 determined by the office of financial management and the employment  
16 security department; or~~

17 (ii) During his or her base year, earned wages in at least ((~~one~~  
18 ~~thousand~~)) six hundred eighty hours in either the forest products  
19 industry, which shall be determined by the department but shall include  
20 the industries assigned the major group standard industrial  
21 classification codes "24" and "26" and the industries involved in the  
22 harvesting and management of logs, transportation of logs and wood  
23 products, processing of wood products, and the manufacturing and  
24 distribution of wood processing and logging equipment or the fishing  
25 industry assigned the standard industrial classification code "0912".  
26 The commissioner may adopt rules further interpreting the industries  
27 covered under this subsection. For the purposes of this subsection,  
28 "standard industrial classification code" means the code identified in  
29 RCW 50.29.025(6)(c); and

30 (b)(i) Has received notice of termination or layoff; and

31 (ii) Is unlikely(~~(, in the determination of the employment security~~  
32 ~~department in consultation with its labor market and economic analysis~~  
33 ~~division,)) to return to employment in his or her principal occupation  
34 or previous industry because of a diminishing demand within his or her  
35 labor market for his or her skills in the occupation or industry; and~~

36 (c)(i) Is notified by the department of the requirements of this  
37 section and develops an individual training program that is submitted  
38 to the commissioner for approval not later than sixty days after the  
39 individual is notified of the requirements of this section, and enters

1 the approved training program not later than ninety days after the date  
2 of the individual's termination or layoff, or ninety days after July 1,  
3 1991, whichever is later, unless the department determines that the  
4 training is not available during the ninety-day period, in which case  
5 the individual shall enter training as soon as it is available; or

6 (ii) Is enrolled in training approved under this section on a full-  
7 time basis and maintains satisfactory progress in the training. ((By  
8 April 1, 1998, the employment security department must redetermine a  
9 new list of eligible and ineligible counties based on a comparison of  
10 1988 and 1997 employment rates. Any changed eligibility status will  
11 apply only to new claims for regular unemployment insurance effective  
12 after April 1, 1998.))

13 (5) For the purposes of this section:

14 (a) "Training program" means:

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

18 (ii) A vocational training program at an educational institution  
19 that:

20 (A) Is training for a labor demand occupation; and

21 (B) Is likely to facilitate a substantial enhancement of the  
22 individual's marketable skills and earning power.

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

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

30 (6) The commissioner shall adopt rules as necessary to implement  
31 this section.

32 (7) The provisions of RCW 50.22.010(10) shall not apply to anyone  
33 who establishes eligibility for additional benefits under this section  
34 and whose benefit year ends after January 1, 1994. These individuals  
35 will have the option of remaining on the original claim or filing a new  
36 claim.

1      NEW SECTION.    **Sec. 2.**    This act takes effect July 1, 1998.

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