

FINAL BILL REPORT

HB 1248

C 8 L 02

Synopsis as Enacted

Brief Description: Providing unemployment insurance benefits for victims of domestic violence or stalking.

Sponsors: By Representatives Kessler, Hankins, Conway, Ballasiotes, Ogden, Cody, Woods, Edmonds, O'Brien, Keiser, Mitchell, Darneille, Santos, Kenney, Linville, Tokuda, Ruderman, Rockefeller, Hurst, Van Luven, Lovick, McIntire, Schual-Berke, Poulsen, Kagi, Wood and Haigh.

House Committee on Commerce & Labor
Senate Committee on Labor, Commerce & Financial Institutions

Background:

Under the Federal Unemployment Tax Act (FUTA) and state unemployment compensation law, an individual may receive benefits so long as he or she meets certain initial and continuing eligibility requirements. Initial eligibility requirements include the conditions of the individual's separation from employment. If the individual's separation was voluntary, the individual is disqualified for receiving benefits. However, an individual who leaves work for "good cause" may collect benefits so long as he or she meets other eligibility requirements. Continuing eligibility requirements include being able and available for work, actively searching for a new job, and not refusing an offer of suitable work. An individual who has received five or more weeks of benefits must provide evidence of seeking work.

Unemployment insurance laws in some other states explicitly permit an individual who leaves work for certain domestic circumstances to receive benefits. These laws provide that an individual who separates from employment for specified domestic circumstances either has quit for "good cause" or is "not disqualified" for benefits. These laws do not modify other initial and continuing eligibility requirements.

Summary:

Initial and continuing eligibility requirements for unemployment benefits are modified for an individual whose separation from employment was necessary to protect the individual or his or her immediate family members from domestic violence or stalking. In these circumstances:

- an individual is considered to have left work for "good cause;"

- the evaluation of the suitability of work must consider the individual's need to address physical, psychological, legal, and other effects of domestic violence or stalking; and
- the individual is not required to provide evidence of seeking work for each week beyond the fifth week in which a claim for benefits is filed.

Benefits paid to the individual are not charged to the employer's experience rating account.

Votes on Final Passage:

House 88 10

Senate 40 8

Effective: June 13, 2002