
**Labor & Workplace Standards
Committee**

HB 1487

Brief Description: Concerning unemployment insurance systems enhancements, including creating a reserve force of unemployment claim adjudicators, effective and equitable claims processing, and transparent performance metrics.

Sponsors: Representatives Bronoske, Berry, Wicks, Fitzgibbon, Lovick, Kirby, Santos, Shewmake, Lekanoff, Leavitt, Senn, Paul, Peterson, Sells, Ramel, Callan, Valdez, Tharinger, Ormsby, Chopp, Harris-Talley, Berg and Pollet.

Brief Summary of Bill

- Requires the Employment Security Department (ESD) to create a training program for unemployment insurance claim adjudicators.
- Requires ESD to implement various changes related to claims processing.
- Requires ESD to further develop certain economic plans and conduct drills.

Hearing Date: 2/10/21

Staff: Lily Smith (786-7175).

Background:

The federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was signed into law on March 27, 2020. The CARES Act provided many new and extended unemployment insurance (UI) benefit programs, which ESD administers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

One program under the CARES Act was the Pandemic Unemployment Assistance Program, providing UI benefits to self-employed individuals, workers with insufficient work history, and others who are not eligible for regular state UI benefits. Another program was the Federal Pandemic Unemployment Compensation (FPUC) program, which provided an additional \$600 per week of benefits. The FPUC expired at the end of July 2020. The Lost Wages Assistance (LWA) program was authorized through a presidential memorandum signed on August 8, 2020. The LWA program provided an additional \$300 per week of benefits for the weeks ending August 1st through 29th and September 5th.

Many of the federal CARES Act programs continue through the Continued Assistance for Unemployed Workers Act, which was signed into law on December 27, 2020, for weeks of unemployment after 2020 through March 14, 2021.

During the COVID pandemic, UI claims, including claims under the new federal programs, increased substantially. ESD hired and trained new staff to process claims, including members of the national guard.

Summary of Bill:

The ESD must implement various changes and plans related to claims processing.

Training program.

The ESD must create an annual training program to train qualified persons to perform as unemployment insurance claim adjudicators in a reserve capacity. Among other requirements, the program must be of sufficient quality that persons completing the training and any required continuing education would be ready to work as a UI claim adjudicator within one week of commencing employment with ESD.

The Office of Financial Management must collaborate with ESD to provide opportunities for state employees, who meet the minimum qualifications to work as UI claim adjudicators, to participate in the annual trainings.

The ESD must provide an annual report to the Legislature on the number of persons with current adjudicator certifications.

Claims processing.

The ESD must use plain, tested language in letters, alerts and notices. Determinations and redeterminations must clearly convey:

- applicable statutes and explanations of law; and
- an outline of relevant facts, reasoning, decision, and result.

The ESD must provide translation of letters and notices into any of the top 10 languages used in the state.

The ESD must establish the following thresholds:

- claims volume and unemployment rate thresholds to determine high demand, that trigger retraining and redeployment of worksource staff to assist with claims; and
- call volume, repeat calls, and wait time thresholds that trigger adjustment of phone staffing.

The ESD must dedicate a toll-free number for certain claimants, and pilot a caseworker approach.

Public information.

The ESD must maintain an online data dashboard, and provide quarterly reports with performance metrics that include claims data, claims center phone statistics, staffing ratios, overpayment data, and other information.

Planning.

The ESD must collaborate with other agencies to further its economic cycle plan and build a cross-agency plan.

The ESD must conduct emergency economic conditions drills.

Appropriation: None.

Fiscal Note: Requested on 02/08/2021.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.