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**Labor & Workplace Standards  
Committee**

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**SB 5331**

**Brief Description:** Concerning job search requirements for unemployment insurance benefits.

**Sponsors:** Senators Conway, Saldaña, Keiser, Lovelett and Wilson, C.; by request of  
Employment Security Department.

**Brief Summary of Bill**

- Provides the Employment Security Department with ongoing, rather than temporary, discretion to accept alternative forms of evidence demonstrating compliance with the job search requirements for receiving unemployment insurance benefits.

**Hearing Date:** 3/21/23

**Staff:** Kelly Leonard (786-7147).

**Background:**

The unemployment insurance (UI) system, administered by the Employment Security Department (Department), provides partial wage replacement benefits for workers who are unemployed through no fault of their own. A worker is eligible to receive UI benefits if he or she meets certain criteria, including that he or she is able and available to work in his or her trade, occupation, profession, or business.

With some exceptions, state law requires any worker receiving five or more weeks of UI benefits to provide evidence that he or she is seeking work on a weekly basis. To satisfy this requirement, a worker must show the Department that he or she made contact with at least three employers per week or participated in certain job search activities at the local reemployment

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center at least three times per week.

On March 25, 2020, the Governor issued Proclamation 20-30, temporarily suspending job search requirements. Senate Concurrent Resolution 8402, which the Legislature passed on January 15, 2021, extended the suspension of Proclamation 20-30 until the termination of the state of emergency or until rescinded by the Governor or the Legislature. In the 2021 Regular Legislative Session, the Legislature passed Substitute House Bill (SHB) 1493 which temporarily modified applicable statutes to allow the Department discretion to accept alternative forms of evidence from a worker in order to meet the intent of rigorous reemployment efforts. This discretion expires December 31, 2023.

In conjunction with the temporary changes to job search requirements, SHB 1493 also required the Department to assess the impacts of any flexibilities implemented in claimant job search methods, monitoring, and outcomes. The Department submitted a final report to the Legislature with the results of the assessment in December of 2022.

**Summary of Bill:**

The discretionary authority for the Department to accept alternative forms of evidence demonstrating compliance with the job search requirements for receiving UI benefits is extended on an ongoing basis. The expiration date is removed. The alternative forms of evidence must meet the objective of reemployment in suitable work, rather than the intent of rigorous reemployment efforts.

By July 1, 2024, and every two years thereafter, the Department, in consultation with an established advisory committee, must submit a report to the Legislature that details the impacts of any flexibilities utilized in claimant job search methods, monitoring, and outcomes. The report must include a section for advisory committee members to respond directly to the contents of the report.

**Appropriation:** None.

**Fiscal Note:** Available.

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