

CERTIFICATION OF ENROLLMENT

SENATE BILL 5331

68th Legislature
2023 Regular Session

Passed by the Senate February 15,
2023

Yeas 34 Nays 15

President of the Senate

Passed by the House April 7, 2023

Yeas 81 Nays 15

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5331** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5331

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

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

Read first time 01/12/23. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to job search requirements for unemployment
2 insurance benefits; amending RCW 50.20.240; and creating new
3 sections.

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

5 **Sec. 1.** RCW 50.20.240 and 2021 c 82 s 1 are each amended to read
6 as follows:

7 (1)(a) To ensure that following the initial application for
8 benefits, an individual is actively engaged in searching for work,
9 the employment security department shall implement job search
10 monitoring. The employment security department shall contract with
11 employment security agencies in other states to ensure that
12 individuals residing in those states and receiving benefits under
13 this title are actively engaged in searching for work in accordance
14 with the requirements of this section. The employment security
15 department must ensure that individuals are subject to comparable job
16 search monitoring, regardless of whether they reside in Washington or
17 elsewhere.

18 (b) Except for those individuals with employer attachment or
19 union referral, individuals complying with an electrical
20 apprenticeship training program that includes a recognized referral
21 system under apprenticeship program standards approved by the

1 Washington state apprenticeship and training council, individuals who
2 qualify for unemployment compensation under RCW 50.20.050
3 (~~((1)(b)(iv) or (2)(b)(iv))~~), as applicable, and individuals in
4 commissioner-approved training, an individual who has received five
5 or more weeks of benefits under this title, regardless of whether the
6 individual resides in Washington or elsewhere, must provide evidence
7 of seeking work, as directed by the commissioner or the
8 commissioner's agents, for each week beyond five in which a claim is
9 filed.

10 ~~((i) Until December 31, 2023, the evidence must demonstrate
11 contacts with at least three employers per week or documented in-
12 person job search activities at the local reemployment center at
13 least three times per week, or as otherwise directed by the
14 employment security department to meet the intent of rigorous
15 reemployment efforts.~~

16 ~~(ii) On or after January 1, 2024, the)~~ The evidence must
17 demonstrate contacts with at least three employers per week, or
18 documented job search activities with the local reemployment center
19 at least three times per week, or as otherwise directed by the
20 employment security department to meet the objective of reemployment
21 in suitable work as described in RCW 50.20.100.

22 (c) In developing the requirements for job search (~~(monitoring)~~),
23 the commissioner or the commissioner's agents shall (~~(utilize)~~)
24 consult with an existing advisory committee having equal
25 representation of employers and workers.

26 (2) An individual who fails to comply fully with the requirements
27 for actively seeking work under RCW 50.20.010 shall lose all benefits
28 for all weeks during which the individual was not in compliance, and
29 the individual shall be liable for repayment of all such benefits
30 under RCW 50.20.190.

31 NEW SECTION. **Sec. 2.** By July 1, 2024, and every two years
32 thereafter, and in compliance with RCW 43.01.036, the employment
33 security department in consultation with the advisory committee
34 referenced in RCW 50.20.240(1)(c) must submit a report to the
35 appropriate committees of the legislature that details the impacts of
36 any flexibilities utilized in claimant job search methods,
37 monitoring, and outcomes. The report must include a section for
38 advisory committee members to respond directly to the contents of the
39 report.

1 NEW SECTION. **Sec. 3.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 4.** If any part of this act is found to be in
6 conflict with federal requirements that are a prescribed condition to
7 the allocation of federal funds to the state or the eligibility of
8 employers in this state for federal unemployment tax credits, the
9 conflicting part of this act is inoperative solely to the extent of
10 the conflict, and the finding or determination does not affect the
11 operation of the remainder of this act. Rules adopted under this act
12 must meet federal requirements that are a necessary condition to the
13 receipt of federal funds by the state or the granting of federal
14 unemployment tax credits to employers in this state.

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