

CERTIFICATION OF ENROLLMENT
SUBSTITUTE HOUSE BILL 2069

Chapter 129, Laws of 1991

52nd Legislature
1991 Regular Session

UNEMPLOYMENT COMPENSATION--EMPLOYER RELIEF FROM BENEFIT CHARGES

EFFECTIVE DATE: 7/28/91

Passed by the House March 13, 1991
Yeas 98 Nays 0

JOE KING
Speaker of the
House of Representatives

Passed by the Senate April 10, 1991
Yeas 34 Nays 5

JOEL PRITCHARD
President of the Senate

Approved May 10, 1991

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2069** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 10, 1991 - 2:25 p.m.

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 2069

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Lisk, Heavey, Ballard, Grant, D. Sommers, Kremen, Fuhrman, Prince, Rayburn, Chandler, Winsley, Mitchell, Vance, Inslee and Silver).

Read first time March 5, 1991.

1 AN ACT Relating to employer relief from unemployment insurance
2 charges; and amending RCW 50.29.020.

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

4 **Sec. 1.** RCW 50.29.020 and 1988 c 27 s 1 are each amended to read
5 as follows:

6 (1) An experience rating account shall be established and
7 maintained for each employer, except employers as described in RCW
8 50.44.010 and 50.44.030 who have properly elected to make payments in
9 lieu of contributions, taxable local government employers as described
10 in RCW 50.44.035, and those employers who are required to make payments
11 in lieu of contributions, based on existing records of the employment
12 security department. Benefits paid to any eligible individuals shall
13 be charged to the experience rating accounts of each of such
14 individual's employers during the individual's base year in the same
15 ratio that the wages paid by each employer to the individual during the

1 base year bear to the wages paid by all employers to that individual
2 during that base year, except as otherwise provided in this section.

3 (2) The legislature finds that certain benefit payments, in whole
4 or in part, should not be charged to the experience rating accounts of
5 employers except those employers described in RCW 50.44.010 and
6 50.44.030 who have properly elected to make payments in lieu of
7 contributions, taxable local government employers described in RCW
8 50.44.035, and those employers who are required to make payments in
9 lieu of contributions, as follows:

10 (a) Benefits paid to any individuals later determined to be
11 ineligible shall not be charged to the experience rating account of any
12 contribution paying employer.

13 (b) Benefits paid to an individual under the provisions of RCW
14 50.12.050 shall not be charged to the account of any contribution
15 paying employer if the wage credits earned in this state by the
16 individual during his or her base year are less than the minimum amount
17 necessary to qualify the individual for unemployment benefits.

18 (c) Benefits paid to an individual filing under the provisions of
19 chapter 50.06 RCW shall not be charged to the experience rating account
20 of any contribution paying employer.

21 (d) Benefits paid which represent the state's share of benefits
22 payable under chapter 50.22 RCW shall not be charged to the experience
23 rating account of any contribution paying employer.

24 (e) In the case of individuals who requalify for benefits under RCW
25 50.20.050 or 50.20.060, benefits based on wage credits earned prior to
26 the disqualifying separation shall not be charged to the experience
27 rating account of the contribution paying employer from whom that
28 separation took place.

29 (f)(i) Benefits paid to an individual as the result of a
30 determination by the commissioner that no stoppage of work exists,

1 pursuant to RCW 50.20.090, shall not be charged to the experience
2 rating account of any contribution paying employer.

3 (ii) Benefits paid to an individual under RCW 50.20.090(1) for
4 weeks of unemployment ending before February 20, 1987, shall not be
5 charged to the experience rating account of any base year employer.

6 (g) In the case of individuals identified under RCW 50.20.015,
7 benefits paid with respect to a calendar quarter, which exceed the
8 total amount of wages earned in the state of Washington in the higher
9 of two corresponding calendar quarters included within the individual's
10 determination period, as defined in RCW 50.20.015, shall not be charged
11 to the experience rating account of any contribution paying employer.

12 (h) Beginning July 1, 1985, a contribution-paying base year
13 employer, not otherwise eligible for relief of charges for benefits
14 under this section, may receive such relief if:

15 (i) The benefit charges result from payment to an individual who
16 last left the employ of such employer voluntarily for reasons not
17 attributable to the employer, or was discharged for misconduct
18 connected with his or her work; and

19 (ii) The employer requests relief of charges in writing within
20 thirty days following mailing to the last known address of the
21 notification of the initial determination of such a claim, stating the
22 date and reason for the last leaving; and

23 (iii) Upon investigation of the separation, the commissioner rules
24 that the relief should be granted.

25 (i) An employer who employed a claimant during the claimant's base
26 year, and who continues to employ the claimant, is eligible for relief
27 of benefit charges if relief is requested in writing within thirty days
28 of notification by the department of the claimant's application for
29 initial determination of eligibility. Relief of benefit charges shall
30 cease when the employment relationship with the claimant ends. This

1 subsection shall not apply to shared work employers under chapter 50.60
2 RCW.

3 (j) Benefits paid to an individual who does not successfully
4 complete an approved on-the-job training program under RCW 50.12.240
5 shall not be charged to the experience rating account of the
6 contribution paying employer who provided the approved on-the-job
7 training.

8 ~~((j))~~ (k) Benefits paid resulting from a closure or severe
9 curtailment of operations at the employer's plant, building, work site,
10 or facility due to damage caused by fire, flood, or other natural
11 disaster shall not be charged to the experience rating account of the
12 employer if:

- 13 (i) The employer petitions for relief of charges; and
14 (ii) The commissioner approves granting relief of charges.

Passed the House March 13, 1991.

Passed the Senate April 10, 1991.

Approved by the Governor May 10, 1991.

Filed in Office of Secretary of State May 10, 1991.