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SENATE BILL 5534

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State of Washington

56th Legislature

1999 Regular Session

By Senators Fairley and Kohl-Welles

Read first time 01/26/1999. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to benefit eligibility for part-time workers;  
2 adding a new section to chapter 50.20 RCW; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** LEGISLATIVE INTENT. The legislature finds  
5 that part-time workers are increasing in numbers. Part-time workers  
6 often fall outside the state's basic safety net of job protections. In  
7 particular, part-time workers are excluded from benefit eligibility  
8 under state unemployment insurance laws. The legislature further finds  
9 that part-time workers are entitled to benefit eligibility under state  
10 unemployment insurance laws.

11 NEW SECTION. **Sec. 2.** PURPOSE. The purpose of this act is to  
12 extend benefit eligibility under state unemployment insurance laws to  
13 part-time workers.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 50.20 RCW  
15 to read as follows:

16 (1) An individual who limits his or her availability to less than  
17 full-time work shall be eligible for benefits when:

1 (a) The individual has been performing less than full-time work  
2 during a substantial portion of the base year or has good cause for  
3 such a limitation; and

4 (b) A sufficient amount of suitable work exists in the labor market  
5 area to justify such a limitation.

6 (2) For purposes of making a determination of availability under  
7 this section, and deciding any appeal therefrom:

8 (a) The individual has the burden of proving that he or she had  
9 been performing less than full-time work during a substantial portion  
10 of the base year or had good cause for any limitation on his or her  
11 availability for full-time work; and

12 (b) If the individual meets the burden set forth in (a) of this  
13 subsection, the commissioner has the burden of proving that a  
14 sufficient amount of suitable work did not exist in the labor market  
15 area.

16 NEW SECTION. **Sec. 4.** The commissioner of the employment security  
17 department may adopt rules as necessary to implement this act.

18 NEW SECTION. **Sec. 5.** If any part of this act is found to be in  
19 conflict with federal requirements that are a prescribed condition to  
20 the allocation of federal funds to the state or the eligibility of  
21 employers in this state for federal unemployment tax credits, the  
22 conflicting part of this act is inoperative solely to the extent of the  
23 conflict, and the finding or determination does not affect the  
24 operation of the remainder of this act. Rules adopted under this act  
25 must meet federal requirements that are a necessary condition to the  
26 receipt of federal funds by the state or the granting of federal  
27 unemployment tax credits to employers in this state.

28 NEW SECTION. **Sec. 6.** Captions used in this act are not part of  
29 the law.

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