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**SUBSTITUTE SENATE BILL 5427**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senate Labor, Commerce & Tribal Affairs (originally sponsored by Senators King, Holy, Keiser, and Saldaña; by request of Office of the Governor)

READ FIRST TIME 02/15/21.

1 AN ACT Relating to job search monitoring; amending RCW 50.20.240;  
2 creating new sections; and declaring an emergency.

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

4 **Sec. 1.** RCW 50.20.240 and 2019 c 50 s 3 are each amended to read  
5 as follows:

6 (1)(a) To ensure that following the initial application for  
7 benefits, an individual is actively engaged in searching for work,  
8 the employment security department shall implement ((a)) job search  
9 monitoring ((program)). The employment security department shall  
10 contract with employment security agencies in other states to ensure  
11 that individuals residing in those states and receiving benefits  
12 under this title are actively engaged in searching for work in  
13 accordance with the requirements of this section. The employment  
14 security department ((may use interactive voice technology and other  
15 electronic means to)) must ensure that individuals are subject to  
16 comparable job search monitoring, regardless of whether they reside  
17 in Washington or 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 (1)(b)(iv)  
3 or (2)(b)(iv), as applicable, and individuals in commissioner-  
4 approved training, an individual who has received five or more weeks  
5 of benefits under this title, regardless of whether the individual  
6 resides in Washington or elsewhere, must provide evidence of seeking  
7 work, as directed by the commissioner or the commissioner's agents,  
8 for each week beyond five in which a claim is filed. ((The))

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

15 (ii) On or after January 1, 2024, the evidence must demonstrate  
16 contacts with at least three employers per week or documented job  
17 search activities with the local reemployment center at least three  
18 times per week.

19 (c) In developing the requirements for ((the)) job search  
20 monitoring ((program)), the commissioner or the commissioner's agents  
21 shall utilize an existing advisory committee having equal  
22 representation of employers and workers.

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

28 NEW SECTION. Sec. 2. By December 1, 2022, and in compliance  
29 with RCW 43.01.036, the employment security department must submit a  
30 report to the legislature that details the impacts of any  
31 flexibilities utilized in claimant job search methods, monitoring,  
32 and outcomes.

33 NEW SECTION. Sec. 3. If any provision of this act or its  
34 application to any person or circumstance is held invalid, the  
35 remainder of the act or the application of the provision to other  
36 persons or circumstances is not affected.

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

11        NEW SECTION.    **Sec. 5.**    This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of  
13 the state government and its existing public institutions, and takes  
14 effect immediately.

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