

SENATE BILL REPORT

SB 5331

As of January 18, 2023

Title: An act relating to job search requirements for unemployment insurance benefits.

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 History:

Committee Activity: Labor & Commerce: 1/19/23.

Brief Summary of Bill

- Modifies the unemployment insurance work search requirements to allow the Employment Security Department (ESD) the ability to direct activities to meet the objective of reemployment in suitable work.
- Requires ESD to submit a report to the Legislature that details the impacts of any flexibilities utilized in claimant job search methods, monitoring, and outcomes.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Susan Jones (786-7404)

Background: An unemployed individual is eligible to receive unemployment insurance benefits (benefits) if the individual:

- worked at least 680 hours in the base year;
- was separated from employment through no fault of the claimant's or quit work for good cause; and
- is able to work, available to work, and is actively searching for suitable work.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Employment Security Department (ESD) administers Washington State's unemployment insurance program.

Suitable work for an individual is employment in an occupation in keeping with the individual's prior work experience, education, or training, and if the individual has no prior work experience, special education, or training for employment available in the general area, then employment which the individual would have the physical and mental ability to perform. In determining whether work is suitable for an individual, ESD must also consider the degree of risk involved to the individual's health, safety, and morals, the degree of risk to the health of those residing with the individual during a public health emergency, the individual's physical fitness, the individual's length of unemployment and prospects for securing local work in the individual's customary occupation, and the distance of the available work from the individual's residence.

To ensure that following the initial application for benefits, an individual is actively engaged in searching for work, ESD has a job search monitoring program. An individual who has received five or more weeks of benefits must provide evidence of seeking work for each week beyond five in which a claim is filed.

Until December 31, 2023, the evidence must demonstrate contacts with at least three employers per week or documented in-person job search activities at the local reemployment center at least three times per week, or as otherwise directed by ESD to meet the intent of rigorous reemployment efforts. On or after January 1, 2024, the evidence must demonstrate contacts with at least three employers per week or documented job search activities with the local reemployment center at least three times per week.

In developing the requirements for job search monitoring, ESD must utilize an existing advisory committee having equal representation of employers and workers.

An individual who fails to comply fully with the requirements for actively seeking work loses all benefits for all weeks during which the individual was not in compliance, and the individual will be liable for repayment of all such benefits.

Summary of Bill: The evidence of work requirements are modified. The evidence must demonstrate contacts with at least three employers per week or documented job search activities with the local reemployment center at least three times per week, or as otherwise directed by ESD to meet the objective of reemployment in suitable work.

By July 1, 2024, and then every two years, ESD, in consultation with the advisory committee, must submit a report to the appropriate committees of the Legislature that details the impacts of any flexibilities utilized in claimant job search methods, monitoring, and outcomes. The report must allow the advisory committee members to respond directly to the contents of the report.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.