

SENATE BILL REPORT

SB 5540

As of February 9, 2025

Title: An act relating to students' eligibility to receive unemployment insurance benefits.

Brief Description: Concerning students' eligibility to receive unemployment insurance benefits.

Sponsors: Senators Hasegawa and Nobles.

Brief History:

Committee Activity: Labor & Commerce: 2/11/25.

Brief Summary of Bill

- Removes the law disqualifying certain students from receiving unemployment insurance benefits.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Susan Jones (786-7404)

Background: Unemployment Insurance Benefits. The Employment Security Department (ESD) administers Washington State's Unemployment Insurance Program. An unemployed individual is eligible to receive unemployment insurance benefits (UI benefits) if the individual:

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

A claimant must be unemployed for a one-week waiting period before being eligible for UI benefits.

Certain benefit payments are not charged to the experience rating accounts of employers

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.

paying contributions to the UI program.

Student Disqualification from Unemployment Insurance Benefits. Any individual registered at an established school in a course of study providing scholastic instruction of 12 or more hours per week, or the equivalent thereof, is disqualified from receiving benefits or waiting period credit for any week during the school term. The disqualification:

- begins with the first week of such scholastic instruction or the week of leaving employment to return to school, whichever is the earlier; and
- ends with the week immediately before the first full week in which the individual is no longer registered for twelve or more hours of scholastic instruction per week.

Registration for less than twelve hours must be for a period of sixty days or longer.

Exception to the Student Disqualification. This disqualification will not apply to any individual who:

- is in an approved training or self-employment assistance program; or
- demonstrates to the ESD commissioner, by a preponderance of the evidence, the individual's actual availability for work.

In arriving at this determination, the commissioner must consider the following factors: prior work history, scholastic history, past and current labor market attachment, and past and present efforts to seek work.

The term school includes primary schools, secondary schools, and institutions of higher education.

Summary of Bill: The bill repeals the law disqualifying certain students from receiving unemployment insurance benefits.

Appropriation: None.

Fiscal Note: Requested on February 8, 2025.

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

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