

# HOUSE BILL REPORT

## HB 1744

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*As Reported By House Committee on:  
Commerce & Labor*

**Title:** An act relating to the definition of reasonable assurance for unemployment insurance.

**Brief Description:** Revising the definition of reasonable assurance for unemployment insurance.

**Sponsor(s):** Representatives Heavey, Spanel, Miller, Prentice, Jacobsen, Cole, Ludwig, R. King, O'Brien, May, Anderson, H. Sommers, Winsley and Jones.

**Brief History:**

Reported by House Committee on:  
Commerce & Labor, March 1, 1991, DP.

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**HOUSE COMMITTEE ON  
COMMERCE & LABOR**

**Majority Report:** *Do pass.* Signed by 6 members: Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; and Prentice.

**Minority Report:** *Do not pass.* Signed by 3 members: Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; and Vance.

**Staff:** Chris Cordes (786-7117).

**Background:** Federal law requires the states to deny unemployment insurance benefits to certain employees who work for educational institutions during the school year. Unemployment compensation may not be paid to these employees for unemployment that occurs between two successive academic terms if the employee has reasonable assurance that he or she will be reemployed for the same services in the next academic term. "Reasonable assurance" is defined as a written, verbal, or implied agreement that the employee will be reemployed in the same capacity.

**Summary of Bill:** If an employee of an educational institution receives an offer of employment for the next academic term that is contingent on funding, enrollment, or program changes, the offer does not constitute a reasonable

assurance of continued employment for purposes of denying unemployment benefits.

**Fiscal Note:** Available.

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

**Testimony For:** The community colleges now use a very large number of part-time faculty. This provides the college administrators with flexibility in determining their programs. However, for many part-time faculty, there is no real assurance that they will continue to be employed in successive academic terms. Many of these faculty are not rehired because the program does not receive funding or enrollment does not meet requirements. These faculty should not be denied unemployment benefits when their continued employment is contingent on these factors.

**Testimony Against:** The cost of paying higher unemployment compensation benefits will have to come from the operating budget of the school. If these benefits are being regarded as supplemental income for these faculty, perhaps the issue should be addressed as a salary issue in the budget. The bill is very broad and could cause a large drain on program money. One possible compromise is to grant the claimant retroactive benefits if the claimant is not reemployed by the college.

**Witnesses:** (in favor) Bill Bennett, Arlene Springer, Joy Belle Conrad-Rice, and Virginia Faller, Seattle Community College Federal of Teachers; Martha Lindley, Unemployment Law Project; Jeff Johnson, Washington State Labor Council; and Dave Westberg, International Union of Engineers.  
(opposed) Larry Lael, State Board for Community College Education; and Barbara Patterson, Edmonds Community College.  
(no position) Graeme Sackrison, Employment Security Department.