

HOUSE BILL REPORT

HB 2439

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

Title: An act relating to disqualification for unemployment insurance.

Brief Description: Affecting disqualification for unemployment insurance.

Sponsor(s): Representatives G. Cole, Heavey, Franklin, R. King, Jones, Prentice and J. Kohl.

Brief History:

Reported by House Committee on:
Commerce & Labor, January 30, 1992, DP.

**HOUSE COMMITTEE ON
COMMERCE & LABOR**

Majority Report: *Do pass.* Signed by 7 members:
Representatives Heavey, Chair; G. Cole, Vice Chair;
Franklin; Jones; R. King; O'Brien; and Prentice.

Minority Report: *Do not pass.* Signed by 4 members:
Representatives Fuhrman, Ranking Minority Member; Lisk,
Assistant Ranking Minority Member; Vance; and Wilson.

Staff: Chris Cordes (786-7117).

Background: If an employee voluntarily leaves his or her job without good cause, the employee is disqualified from unemployment insurance benefits until the employee has returned to work and earned wages at least equal to his or her weekly benefit amount in five different weeks.

Employees who quit work for good cause are not disqualified from benefits. Good cause includes accepting a bona fide offer of work or quitting work because of the employee's illness or disability, or the illness, disability, or death of a family member. In determining whether an individual has left work without good cause, the commissioner of the Employment Security Department must consider only work-connected factors, such as the degree of risk to health, safety, and morals, the employee's physical fitness for the work and ability to perform the work, and other factors deemed pertinent. However, good cause is not established

for leaving because of (1) the distance to work when the distance was known at the time of accepting employment, and the distance is customarily traveled by employees in that job classification and labor market; or (2) the presence of other significant work factors generally known and present at the time of accepting employment.

Special requalification provisions apply if the reason for leaving work involves marital status or domestic responsibilities, such as following a spouse to another location. In this case, the employee may either work and earn the weekly benefit amount in five different weeks or report to the Employment Security Department for 10 weeks while searching for work.

Summary of Bill: To requalify for unemployment insurance benefits, a person who voluntarily quits work without good cause must obtain bona fide work and earn wages of not less than five times his or her weekly benefit amount, but the requirement that the weekly benefit amount be earned in each of five weeks is deleted.

In addition to leaving work to accept a bona fide offer of work or for personal or family disability or illness, good cause for leaving work voluntarily includes leaving work for compelling personal reasons of the claimant, such as marital status or domestic responsibilities. "Marital status" includes a marriage of the employee pending within a reasonable period after leaving work. The special requalification requirement for claimants who leave work because of marital status or domestic responsibilities is deleted.

The standard for determining when an individual has left work without good cause is amended. In addition to other factors, the distance to work and transportation available must be considered. Good cause shall be established if (1) the employee quits because of a reduction of 10 percent or more in the hours of work offered, the pay, the distance to be traveled to work, or any other significant work factor, unless the reduction has been specifically agreed to in writing; and (2) the employer or supervisory personnel commits misconduct, including failure to correct an illegal working condition after reasonable notice, or any misconduct, felony, or gross misdemeanor which if committed by an employee would disqualify the employee from receiving benefits.

Fiscal Note: Requested January 20, 1992.

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

Testimony For: None.

Testimony Against: None.

Witnesses: None.