

SENATE BILL REPORT

SB 5461

AS REPORTED BY COMMITTEE ON LABOR & COMMERCE, MARCH 3, 1993

Brief Description: Relating discharge for disqualification from unemployment benefits to recent work.

SPONSORS: Senators Vognild, Prentice and Sutherland

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Fraser, McAuliffe, Pelz, Sutherland, Vognild, and Wojahn.

Minority Report: Do not pass.

Signed by Senators Amondson, Barr, and Cantu.

Staff: Dave Cheal (786-7576)

Hearing Dates: February 17, 1993

BACKGROUND:

An employee may be disqualified for unemployment insurance benefits if the employee voluntarily and without good cause quits his or her job. The employee may requalify after obtaining work and earning wages equal to his or her weekly benefit amount in each of five calendar weeks.

An individual may be disqualified for benefits if discharged because of a felony or gross misdemeanor conviction or admission to a competent authority. The felony or misdemeanor must be connected with his or her work. Benefits paid during the disqualification can be recovered by the department.

SUMMARY:

Disqualification for benefits for voluntarily leaving employment is limited to having left the most recent work.

An employee disqualified for benefits after discharge or suspension for misconduct may requalify for benefits after having obtained work and earned five times his or her suspended weekly benefit amount.

Felony and misdemeanor disqualification is clarified. Anyone discharged or voluntarily leaving work because of a felony or a gross misdemeanor conviction or admission that is work connected loses all hourly wage credits based on that employment. The employer must notify the department not later than six months following the admission or conviction. The claimant is under a duty to disclose any conviction of a work-

connected felony or gross misdemeanor in the two years previous to the application for benefits. The disclosure must be made to the department.

Benefits paid in error based on credits that should have been removed are recoverable by the department.

Appropriation: none

Revenue: none

Fiscal Note: requested

TESTIMONY FOR:

It is unfair to consider any job other than the most recent when determining whether a worker quit voluntarily without good cause, which disqualifies the worker for benefits.

TESTIMONY AGAINST:

If the most recent work was very short term, it would be more appropriate to look at work prior to the last job. The department should have flexibility.

TESTIFIED: PRO: Jeff Johnson, Jordy Andrew, Robert Dilger, Martha Lindley; CON: Clif Finch; Gary Smith; Norm Raffael