
HOUSE BILL 2693

State of Washington 55th Legislature 1998 Regular Session

By Representatives Morris, Kessler, Anderson, Ogden, Dickerson, Butler, Conway, Cooper, Constantine, Linville, Gardner and Chopp

Read first time 01/19/98. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to extended benefits for unemployment compensation;
2 and amending RCW 50.16.094 and 50.22.090.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 50.16.094 and 1995 c 57 s 1 are each amended to read
5 as follows:

6 An individual may be eligible for applicable employment security
7 benefits while participating in work force training. Eligibility is at
8 the discretion of the commissioner of employment security after
9 submitting a commissioner-approved training waiver and developing a
10 detailed individualized training plan.

11 Benefits paid under this section shall not be charged to the
12 experience rating accounts of individual employers.

13 The commissioner shall adopt rules as necessary to implement this
14 section.

15 **Sec. 2.** RCW 50.22.090 and 1997 c 367 s 4 are each amended to read
16 as follows:

17 (1) An additional benefit period is established for rural natural
18 resources impact areas, defined in this section, and determined by the

1 office of financial management and the employment security department.
2 Benefits shall be paid as provided in subsection (3) of this section to
3 exhaustees eligible under subsection (4) of this section.

4 (2) The additional benefit period for a county may end no sooner
5 than fifty-two weeks after the additional benefit period begins.

6 (3) Additional benefits shall be paid as follows:

7 (a) No new claims for additional benefits shall be accepted for
8 weeks beginning after July 1, 1999, but for claims established on or
9 before July 1, 1999, weeks of unemployment occurring after July 1,
10 1999, shall be compensated as provided in this section.

11 (b) The total additional benefit amount shall be one hundred four
12 times the individual's weekly benefit amount, reduced by the total
13 amount of regular benefits and extended benefits paid, or deemed paid,
14 with respect to the benefit year. Additional benefits shall not be
15 payable for weeks more than two years beyond the end of the benefit
16 year of the regular claim for an individual whose benefit year ends on
17 or after July 27, 1991, and shall not be payable for weeks ending on or
18 after two years after March 26, 1992, for individuals who become
19 eligible as a result of chapter 47, Laws of 1992.

20 (c) Notwithstanding the provisions of (b) of this subsection,
21 individuals will be entitled to up to five additional weeks of benefits
22 following the completion or termination of training.

23 (d) Notwithstanding the provisions of (b) of this subsection,
24 individuals enrolled in prerequisite remedial education for a training
25 program expected to last at least one year will be entitled to up to
26 thirteen additional weeks of benefits which shall not count toward the
27 total in (b) of this subsection.

28 (e) The weekly benefit amount shall be calculated as specified in
29 RCW 50.22.040.

30 (f) Benefits paid under this section shall be paid under the same
31 terms and conditions as regular benefits and shall not be charged to
32 the experience rating account of individual employers. The additional
33 benefit period shall be suspended with the start of an extended benefit
34 period, or any totally federally funded benefit program, with
35 eligibility criteria and benefits comparable to the program established
36 by this section, and shall resume the first week following the end of
37 the federal program.

38 (g) The amendments in chapter 316, Laws of 1993 affecting
39 subsection (3)(b) and (c) of this section shall apply in the case of

1 all individuals determined to be monetarily eligible under this section
2 without regard to the date eligibility was determined.

3 (4) An additional benefit eligibility period is established for any
4 exhaustee who:

5 (a)(i) At the time of last separation from employment resides in a
6 county with an unemployment rate for 1996 at least twenty percent or
7 more above the state average and at least fifteen percent above their
8 own county unemployment rate in 1988 and the county meets one of the
9 following two criteria:

10 (A) It is a county with a lumber and woods products employment
11 quotient at least three times the state average and has experienced
12 actual job losses in these industries since 1988 of one hundred jobs or
13 more or fifty or more jobs in a county with a population of forty
14 thousand or less; or

15 (B) It is a county with a commercial salmon fishing employment
16 quotient at least three times the state average and has experienced
17 actual job losses in this industry since 1988 of one hundred jobs or
18 more or fifty or more jobs in a county with a population of forty
19 thousand or less; and

20 (I) The exhaustee has during his or her base year earned wages of
21 at least one thousand hours; and

22 (II) The exhaustee is determined by the employment security
23 department in consultation with its labor market and economic analysis
24 division to be a displaced worker; or

25 (ii) During his or her base year, earned wages in at least one
26 thousand hours in either the forest products industry, which shall be
27 determined by the department but shall include the industries assigned
28 the major group standard industrial classification codes "24" and "26"
29 and the industries involved in the harvesting and management of logs,
30 transportation of logs and wood products, processing of wood products,
31 and the manufacturing and distribution of wood processing and logging
32 equipment or the fishing industry assigned the standard industrial
33 classification code "0912". The commissioner may adopt rules further
34 interpreting the industries covered under this subsection. For the
35 purposes of this subsection, "standard industrial classification code"
36 means the code identified in RCW 50.29.025(6)(c); and

37 (b)(i) Has received notice of termination or layoff; and

38 (ii) Is unlikely, in the determination of the employment security
39 department in consultation with its labor market and economic analysis

1 division, to return to employment in his or her principal occupation or
2 previous industry because of a diminishing demand within his or her
3 labor market for his or her skills in the occupation or industry; and

4 (c)(i) Is notified by the department of the requirements of this
5 section and develops an individual training program that is submitted
6 to the commissioner for approval not later than sixty days after the
7 individual is notified of the requirements of this section, and enters
8 the approved training program not later than ninety days after the date
9 of the individual's termination or layoff, or ninety days after July 1,
10 1991, whichever is later, unless the department determines that the
11 training is not available during the ninety-day period, in which case
12 the individual shall enter training as soon as it is available; or

13 (ii) Is enrolled in training approved under this section on a full-
14 time basis and maintains satisfactory progress in the training. By
15 April 1, 1998, the employment security department must redetermine a
16 new list of eligible and ineligible counties based on a comparison of
17 1988 and 1997 employment rates. Any changed eligibility status will
18 apply only to new claims for regular unemployment insurance effective
19 after April 1, 1998.

20 (5) For the purposes of this section:

21 (a) "Training program" means:

22 (i) A remedial education program determined to be necessary after
23 counseling at the educational institution in which the individual
24 enrolls pursuant to his or her approved training program; or

25 (ii) A vocational training program at an educational institution
26 that:

27 (A) Is training for a labor demand occupation; and

28 (B) Is likely to facilitate a substantial enhancement of the
29 individual's marketable skills and earning power.

30 (b) "Educational institution" means an institution of higher
31 education as defined in RCW 28B.10.016 or an educational institution as
32 defined in RCW 28C.04.410(3).

33 (c) "Training allowance or stipend" means discretionary use, cash-
34 in-hand payments available to the individual to be used as the
35 individual sees fit, but does not mean direct or indirect compensation
36 for training costs, such as tuition or books and supplies.

37 (6) The commissioner shall adopt rules as necessary to implement
38 this section.

1 (7) The provisions of RCW 50.22.010(10) shall not apply to anyone
2 who establishes eligibility for additional benefits under this section
3 and whose benefit year ends after January 1, 1994. These individuals
4 will have the option of remaining on the original claim or filing a new
5 claim.

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