

2 **SB 6368** - S AMD - 310  
3 By Senator Brown

4 ADOPTED 3/14/00

5 On page 1, line 14, after "payable" strike "until the lockout is  
6 terminated" and insert "in a maximum amount equal to sixty times the  
7 weekly benefit amount or until the lockout is terminated, whichever  
8 occurs first"

9 On page 3, beginning on line 1, strike all of subsection (b) and  
10 insert the following:

11 "(b) The termination of the lockout or until benefits in a maximum  
12 amount of sixty times the weekly benefit amount are paid, whichever  
13 occurs first, if, at the expiration of the fifty-two weeks, the  
14 individual's benefits continue to be payable under RCW 50.20.120(1)(a)  
15 due to a lockout."

16  
17 On page 3, after line 29, insert the following:

18 "NEW SECTION. Sec. 3. A new section is added to chapter 50.29 RCW  
19 to read as follows:

20 (1) Beginning with rate year 2000, if unemployment benefits are  
21 paid to claimants in any calendar quarter that exceed the maximum  
22 benefit amount under RCW 50.20.120(1)(a) due to a lockout by the  
23 employer, and the employer is assigned the contribution rate of rate  
24 class 20 under RCW 50.29.025, or is assigned the contribution rate  
25 under RCW 50.29.025(6)(a), for the rate year that includes that  
26 calendar quarter, the employer's contributions for that calendar  
27 quarter under RCW 50.24.010 shall equal the total of the following:

- 28 (a) The amount of contributions determined under RCW 50.29.025;  
29 (b) An amount equal to the full amount of benefits paid in the  
30 calendar quarter to the locked out claimants less the amount paid under  
31 (a) of this subsection; and  
32 (c) The amount of the costs related to administering the benefits  
33 paid to the locked out claimants not otherwise paid or payable from  
34 federal funds.

35 (2) At the end of each calendar quarter, the commissioner shall  
36 notify employers subject to this section, and shall include in each

1 employer's contribution notice for the calendar quarter a billing for  
2 the amount determined under this section. Contributions shall become  
3 due and be paid as prescribed by the commissioner for contributions  
4 under RCW 50.24.010.

5 (3) RCW 50.29.062 shall not apply to employers subject to this  
6 section. For purposes of RCW 50.24.010, the contribution rate of a  
7 successor employer to an employer subject to this section shall be the  
8 contribution rate of the rate class assigned to the predecessor  
9 employer at the time of the transfer for the remainder of that rate  
10 year. Any experience relating to the assignment of that rate class  
11 attributable to the predecessor is transferred to the successor.  
12 Beginning on the January 1 following the transfer, the successor's  
13 assigned contribution rate for purposes of RCW 50.24.010 shall be based  
14 on the transferred experience of the acquired business and the  
15 successor's experience after the transfer."

16 Renumber the sections consecutively and correct internal references  
17 and the title accordingly.

18 On page 4, beginning on line 7, after "**Sec. 5.**" strike "This act  
19 applies beginning with weeks of unemployment" and insert "This act  
20 applies to weeks of unemployment beginning on or after January 2,  
21 2000,"

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25 On page 1, line 2 of the title, after "50.04.030;" insert "adding  
26 a new section to chapter 50.29 RCW;"

--- END ---

**EFFECT:** The amendment provides an additional 30 weeks of benefits for locked out workers, replacing the duration of the lockout in the original bill.

The amendment changes the retroactive application of continuing benefits for locked out workers from weeks of unemployment beginning after January 13, 1999, to January 2, 2000, and addresses the funding of these benefits as follows:

(1) If the employer is in the highest rate class or is

paying at the delinquent rate, the Employment Security Department must determine the full amount of these benefits and bill the employer quarterly for the amount of benefits paid that exceeds the contributions paid by the employer.

(2) The employer must also pay related administrative costs that are not funded by federal money.

(3) If one of these employers is transferred to another entity, the successor employer will continue to be assigned the rate class of the predecessor employer for the remainder of the rate year and, beginning with the following rate year, will be assigned a rate based on the combined experience of the predecessor and successor.