

SENATE BILL REPORT

SB 5189

As Passed Senate, March 8, 2001

Title: An act relating to allowing victims of domestic violence or stalking to receive unemployment insurance benefits.

Brief Description: Providing unemployment insurance benefits for victims of domestic violence or stalking.

Sponsors: Senators B. Sheldon, Fairley, Patterson, Prentice, Kohl-Welles, Thibaudeau, Costa, Eide, Spanel, Shin, Regala, Kline, Gardner, Haugen, Jacobsen, Brown, Fraser, Franklin and McAuliffe.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 2/1/01, 2/8/01 [DP, DNP].

Passed Senate: 3/8/01, 26-23.

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Gardner, Vice Chair; Fairley, Franklin, Patterson, Rasmussen, Regala and Winsley.

Minority Report: Do not pass.

Signed by Senators Benton, Hochstatter and Honeyford.

Staff: Joanne Conrad (786-7472)

Background: Workers generally cannot qualify for unemployment benefits if they quit work voluntarily without good cause. State law provides for exceptions; for example, leaving work due to an illness or death in the immediate family, or quitting to follow a spouse who is relocating.

Quitting work because of domestic violence victimization or stalking, however, is considered a "voluntary quit" without good cause.

Summary of Bill: Quitting voluntarily, due to domestic violence victimization or stalking, may be considered as leaving work voluntarily with good cause, allowing a claimant to qualify for unemployment benefits.

For workers who qualify for unemployment compensation due to domestic violence victim status, an evaluation of the suitability of employment must consider the worker's need to address the physical, psychological, legal and other effects of domestic violence or stalking. Victims are exempt from the requirement of providing evidence of seeking work under the Employment Security Department's job search monitoring program.

Workers who qualify for unemployment because of domestic violence do not have their benefits charged back to the experience rating account of any contribution paying employer.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Some victims of domestic violence need unemployment insurance (UI) in order to escape their situation, relocate, and find a new job. This bill would protect workers, and help keep the work environment safe for coworkers. Workers with domestic violence situations could find new jobs and avoid welfare, trauma, and disruption, for themselves and their children.

Testimony Against: The UI fund is an inappropriate funding source for this. The crime victim's fund is more suitable. Washington's UI program is already too expensive. UI benefits are not the solution to the social problem of domestic violence.

Testified: Senator Betti Sheldon, prime sponsor; Pam Crone, NW Women's Law Center; Alexandra, Suzanne Brown, Washington Coalition of Sexual Assault Centers; Jeff Johnson, Labor Council (pro). Amber Balch, AWB; Jan Gee, Washington Retail Association; Carolyn Logue, NFIB (con).