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HOUSE BILL 1392

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Simpson and Chase

Read first time 01/21/2005. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to the applicability of job search requirements to  
2 federal disaster assistance employees; and amending RCW 50.20.230 and  
3 50.20.240.

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

5            **Sec. 1.** RCW 50.20.230 and 1998 c 161 s 3 are each amended to read  
6 as follows:

7            (1) Except as provided in subsection (2) of this section, the  
8 employment security department will ensure that, within a reasonably  
9 short period of time after the initiation of benefits, all unemployment  
10 insurance claimants(~~(, except those with employer attachment, union~~  
11 ~~referral, in commissioner approved training, or the subject of~~  
12 ~~antiharassment orders,)) register for job search in an electronic labor~~  
13 exchange system that supports direct employer access for the purpose of  
14 selecting job applicants.

15            (2) The requirement that claimants register for job search in  
16 subsection (1) of this section does not apply to:

- 17            (a) Individuals with employer attachment or union referral;  
18            (b) Individuals who are the subject of antiharassment orders;  
19            (c) Individuals in commissioner-approved training; and

1        (d) Individuals who are separated from employment as disaster  
2 assistance employees of the federal emergency management agency.

3        **Sec. 2.** RCW 50.20.240 and 2004 c 110 s 1 are each amended to read  
4 as follows:

5        (1)(a) To ensure that following the initial application for  
6 benefits, an individual is actively engaged in searching for work, the  
7 employment security department shall implement a job search monitoring  
8 program. Effective January 4, 2004, the department shall contract with  
9 employment security agencies in other states to ensure that individuals  
10 residing in those states and receiving benefits under this title are  
11 actively engaged in searching for work in accordance with the  
12 requirements of this section. The department may use interactive voice  
13 technology and other electronic means to ensure that individuals are  
14 subject to comparable job search monitoring, regardless of whether they  
15 reside in Washington or elsewhere.

16        (b) Except for (~~those~~) individuals with employer attachment or  
17 union referral, individuals who qualify for unemployment compensation  
18 under RCW 50.20.050 (1)(b)(iv) or (2)(b)(iv), as applicable, (~~and~~)  
19 individuals in commissioner-approved training, and individuals who are  
20 separated from employment as disaster assistance employees of the  
21 federal emergency management agency, an individual who has received  
22 five or more weeks of benefits under this title, regardless of whether  
23 the individual resides in Washington or elsewhere, must provide  
24 evidence of seeking work, as directed by the commissioner or the  
25 commissioner's agents, for each week beyond five in which a claim is  
26 filed. With regard to claims with an effective date before January 4,  
27 2004, the evidence must demonstrate contacts with at least three  
28 employers per week or documented in-person job search activity at the  
29 local reemployment center. With regard to claims with an effective  
30 date on or after January 4, 2004, the evidence must demonstrate  
31 contacts with at least three employers per week or documented in-person  
32 job search activities at the local reemployment center at least three  
33 times per week.

34        (c) In developing the requirements for the job search monitoring  
35 program, the commissioner or the commissioner's agents shall utilize an  
36 existing advisory committee having equal representation of employers  
37 and workers.

1           (2) Effective January 4, 2004, an individual who fails to comply  
2 fully with the requirements for actively seeking work under RCW  
3 50.20.010 shall lose all benefits for all weeks during which the  
4 individual was not in compliance, and the individual shall be liable  
5 for repayment of all such benefits under RCW 50.20.190.

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