
HOUSE BILL 2250

State of Washington 59th Legislature 2005 Regular Session

By Representatives Priest, Condotta, Linville and Kessler

Read first time 02/28/2005. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to unemployment benefit eligibility for
2 apprentices; and amending RCW 50.20.010, 50.20.230, and 50.20.240.

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

4 **Sec. 1.** RCW 50.20.010 and 2003 2nd sp.s. c 4 s 3 are each amended
5 to read as follows:

6 (1) An unemployed individual shall be eligible to receive waiting
7 period credits or benefits with respect to any week in his or her
8 eligibility period only if the commissioner finds that:

9 (a) He or she has registered for work at, and thereafter has
10 continued to report at, an employment office in accordance with such
11 regulation as the commissioner may prescribe, except that the
12 commissioner may by regulation waive or alter either or both of the
13 requirements of this subdivision as to individuals attached to regular
14 jobs and as to such other types of cases or situations with respect to
15 which the commissioner finds that the compliance with such requirements
16 would be oppressive, or would be inconsistent with the purposes of this
17 title;

18 (b) He or she has filed an application for an initial determination

1 and made a claim for waiting period credit or for benefits in
2 accordance with the provisions of this title;

3 (c) He or she is able to work, and is available for work in any
4 trade, occupation, profession, or business for which he or she is
5 reasonably fitted.

6 (i) With respect to claims that have an effective date before
7 January 4, 2004, to be available for work an individual must be ready,
8 able, and willing, immediately to accept any suitable work which may be
9 offered to him or her and must be actively seeking work pursuant to
10 customary trade practices and through other methods when so directed by
11 the commissioner or the commissioner's agents.

12 (ii) With respect to claims that have an effective date on or after
13 January 4, 2004, to be available for work an individual must be ready,
14 able, and willing, immediately to accept any suitable work which may be
15 offered to him or her and must be actively seeking work pursuant to
16 customary trade practices, or be an apprentice registered by the
17 Washington state apprenticeship and training council and complying with
18 a recognized employment referral program pursuant to chapter 49.04 RCW,
19 and through other methods when so directed by the commissioner or the
20 commissioner's agents. If a labor agreement or dispatch rules apply,
21 customary trade practices must be in accordance with the applicable
22 agreement or rules;

23 (d) He or she has been unemployed for a waiting period of one week;

24 (e) He or she participates in reemployment services if the
25 individual has been referred to reemployment services pursuant to the
26 profiling system established by the commissioner under RCW 50.20.011,
27 unless the commissioner determines that:

28 (i) The individual has completed such services; or

29 (ii) There is justifiable cause for the claimant's failure to
30 participate in such services; and

31 (f) As to weeks beginning after March 31, 1981, which fall within
32 an extended benefit period as defined in RCW 50.22.010, the individual
33 meets the terms and conditions of RCW 50.22.020 with respect to
34 benefits claimed in excess of twenty-six times the individual's weekly
35 benefit amount.

36 (2) An individual's eligibility period for regular benefits shall
37 be coincident to his or her established benefit year. An individual's

1 eligibility period for additional or extended benefits shall be the
2 periods prescribed elsewhere in this title for such benefits.

3 **Sec. 2.** RCW 50.20.230 and 1998 c 161 s 3 are each amended to read
4 as follows:

5 The employment security department will ensure that within a
6 reasonably short period of time after the initiation of benefits, all
7 unemployment insurance claimants, except those with employer
8 attachment, union referral, apprentices registered by the Washington
9 state apprenticeship and training council and complying with a
10 recognized employment referral program pursuant to chapter 49.04 RCW,
11 in commissioner-approved training, or the subject of antiharassment
12 orders, register for job search in an electronic labor exchange system
13 that supports direct employer access for the purpose of selecting job
14 applicants.

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

17 (1)(a) To ensure that following the initial application for
18 benefits, an individual is actively engaged in searching for work, the
19 employment security department shall implement a job search monitoring
20 program. Effective January 4, 2004, the department shall contract with
21 employment security agencies in other states to ensure that individuals
22 residing in those states and receiving benefits under this title are
23 actively engaged in searching for work in accordance with the
24 requirements of this section. The department may use interactive voice
25 technology and other electronic means to ensure that individuals are
26 subject to comparable job search monitoring, regardless of whether they
27 reside in Washington or elsewhere.

28 (b) Except for those individuals with employer attachment (~~(or)~~),
29 union referral, apprentices registered by the Washington state
30 apprenticeship and training council and complying with a recognized
31 employment referral program pursuant to chapter 49.04 RCW, individuals
32 who qualify for unemployment compensation under RCW 50.20.050
33 (1)(b)(iv) or (2)(b)(iv), as applicable, and individuals in
34 commissioner-approved training, an individual who has received five or
35 more weeks of benefits under this title, regardless of whether the
36 individual resides in Washington or elsewhere, must provide evidence of

1 seeking work, as directed by the commissioner or the commissioner's
2 agents, for each week beyond five in which a claim is filed. With
3 regard to claims with an effective date before January 4, 2004, the
4 evidence must demonstrate contacts with at least three employers per
5 week or documented in-person job search activity at the local
6 reemployment center. With regard to claims with an effective date on
7 or after January 4, 2004, the evidence must demonstrate contacts with
8 at least three employers per week or documented in-person job search
9 activities at the local reemployment center at least three times per
10 week.

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

15 (2) Effective January 4, 2004, an individual who fails to comply
16 fully with the requirements for actively seeking work under RCW
17 50.20.010 shall lose all benefits for all weeks during which the
18 individual was not in compliance, and the individual shall be liable
19 for repayment of all such benefits under RCW 50.20.190.

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