

SENATE BILL REPORT

SHB 1493

As Passed Senate, April 5, 2021

Title: An act relating to job search monitoring.

Brief Description: Concerning job search monitoring.

Sponsors: House Committee on Labor & Workplace Standards (originally sponsored by Representatives Sells, Berry, Pollet and Ormsby).

Brief History: Passed House: 2/24/21, 93-3.

Committee Activity: Labor, Commerce & Tribal Affairs: 3/15/21, 3/17/21 [DP, DNP, w/oRec].

Floor Activity: Passed Senate: 4/5/21, 33-15.

Brief Summary of Bill

- Allows the Employment Security Department (ESD) to direct the required evidence of job search activities for unemployment insurance claimants until December 31, 2023.
- Removes the requirement for in-person job search activities beginning on January 1, 2024.
- Requires ESD to report to the Legislature detailing the impacts of any flexibilities used in claimant job search methods, monitoring, and outcomes.

SENATE COMMITTEE ON LABOR, COMMERCE & TRIBAL AFFAIRS

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair, Labor; Stanford, Vice Chair, Commerce & Tribal Affairs; King, Ranking Member; Robinson and Saldaña.

Minority Report: Do not pass.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Honeyford and Schoesler.

Minority Report: That it be referred without recommendation.

Signed by Senator Braun.

Staff: Susan Jones (786-7404)

Background: An unemployed individual is eligible to receive unemployment insurance benefits (UI benefits) if the individual: (1) worked at least 680 hours in the base year; (2) was separated from employment through no fault of the claimant's or quit work for good cause; and (3) is able to work, available to work, and is actively searching for suitable work. The Employment Security Department (ESD) administers Washington State's unemployment insurance program.

To ensure that following the initial application for benefits, a claimant is actively engaged in searching for work, ESD has a job search monitoring program. An individual who has received five or more weeks of benefits must provide evidence of seeking work for each week beyond five in which a claim is filed. The evidence must demonstrate contacts with at least three employers per week or documented in-person job search activities at the local reemployment center at least three times per week.

An individual who fails to comply fully with the requirements for actively seeking work loses all benefits for all weeks during which the individual was not in compliance, and the individual is liable for repayment of all the benefits.

Governor's Proclamation 20-30 and proclamation extensions suspended job search requirements in March 2020. Since then, claimants have not been required to report job search activities and ESD has not monitored job search activities. SCR 8402, passed on January 15, 2021, extends the statutory waivers of Proclamation 20-30 until the termination of the state of emergency or until rescinded by the Governor or the Legislature.

Summary of Bill: Until December 31, 2023, ESD may direct the required evidence of job search activities to meet the intent of rigorous reemployment efforts. Beginning on January 1, 2024, the job search evidence must continue to demonstrate contacts with a least three employers per week or documented job search activities with the local reemployment centers at least three times per week. In-person job search activities are not required.

By December 1, 2022, ESD must submit a report to the Legislature that details the impacts of any flexibilities utilized in claimant job search methods, monitoring, and outcomes.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony: PRO: Under normal circumstances, claimants are required to conduct three job search activities per week. ESD monitors the search activities. In response to COVID-19, federal law allows state flexibility with job search activities requirements. This bill allows ESD flexibility to reinstate job search requirements at the end of the state of emergency when Work Sources Offices can handle the influx of likely customers, many of whom will need to be educated about the requirements or when directed by the federal government. ESD intends to maintain the three job search requirements, the bill gives ESD flexibility to adjust the requirements for local economic conditions. ESD intends to maintain the rigorous job search requirements. ESD will be required to report to the Legislature so it may determine whether to continue the flexibility. The bill is unanimously supported by the Unemployment Advisory Committee, comprised of workers, business, and Work Source representatives.

Persons Testifying: PRO: Dan Zeitlin, Employment Security Department.

Persons Signed In To Testify But Not Testifying: No one.