

Amendments to State Unemployment Insurance Laws

U.S. DEPARTMENT OF LABOR
Employment and Training Administration
Washington, D.C. 20210

REPORT ON STATE LEGISLATION

REPORT NO. 1
May 14, 2001

Amendments to State Unemployment Insurance Laws

ARKANSAS	SB 237 (Act 770)	ENACTED and EFFECTIVE March 15, 2001
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Benefits

Adds testing positive for illegal drugs under a Department of Transportation qualified drug screen program, in accordance with the employer's bona fide written drug policy, to the types of misconduct that lead to a disqualification for benefits.

COLORADO	HB 1043 (CH 28)	ENACTED March 12, 2001 EFFECTIVE 90 days after adjournment of general assembly unless referendum petition is filed
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Financing

Eliminates the requirement that the Division of Employment and Training in the Department of Labor and Employment deduct, from an employer's refund of excess unemployment insurance taxes, an amount equal to the benefits the Division has paid to employees upon whose wages the taxes were based.

COLORADO	HB 1200 (CH 15)	ENACTED March 9, 2001 EFFECTIVE January 1, 2002
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Financing

Relieves employer of obligation to pay unemployment insurance taxes in a calendar quarter if the amount due is less than five dollars.

IDAHO	SB 1020 (CH 37)	ENACTED and EFFECTIVE March 8, 2001
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Administration

(CH 17) EFFECTIVE January 7, 2001

Benefits

Eliminates the 12 times statewide average weekly wage option for purposes of determining eligibility for benefits for other than agricultural workers.

Replaces the 12 times statewide average weekly option with 1,000 times the minimum wage for agricultural workers.

Eliminates from the definition of base week for unemployment benefits the 20 percent times statewide average weekly wage option.

Replaces the 20 times statewide average weekly wage with 20 times the minimum wage in the definition of base week for temporary disability benefits.

Replaces the 12 times statewide average weekly wage option with 1,000 times the minimum wage in determining entitlement to temporary disability benefits.

NORTH DAKOTA HB 1083 ENACTED March 6, 2001
(CH 52) EFFECTIVE Retroactive to January 1, 2001

Benefits

Specifies that an individual is not considered to have left employment voluntarily without good cause if the individual leaves most recent employment to accept a bona fide job offer with a base period employer who laid off the individual and with whom the individual has a demonstrated job attachment.

NORTH DAKOTA HB 1085 ENACTED March 14, 2001
EFFECTIVE August 1, 2001 (for bids let after that date)

Administration

Changes procedures for posting a bond or irrevocable letter of credit on construction projects to ensure the payment of all benefits claimed by employees working on the project.

Raises the threshold for estimated cost of a construction project that requires posting a bond or letter of credit from \$25 to \$50 million.

NORTH DAKOTA HB 1450 ENACTED March 19, 2001 EFFECTIVE retroactive to December 21, 2000

Coverage

Changes the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in UI coverage of such services.

Allows an Indian tribe either to pay contributions or to elect to make reimbursements.

Requires an Indian tribe that elects to make reimbursements to file a surety bond.

Provides that failure of an Indian tribe to make required payments within ninety days will result in loss of option to make reimbursements and that further failure of the tribe to make payments will cause loss of coverage of services performed for the Indian tribe.

Specifies that the job service North Dakota bureau will notify the U.S. Internal Revenue Service and U.S. Department of Labor of a termination or reinstatement of coverage of an Indian tribe.

NORTH HB ENACTED March 14, 2001 EFFECTIVE retroactive to January
DAKOTA 1471 1, 2000

Financing

Provides that during the building of the trust fund reserve for calendar years 2000, 2001, and 2002, a negative employer that was a negative employer the previous year may not make excess contributions to become a positive employer.

Removes the limitations, imposed during the building of the trust fund reserve for calendar years 2000, 2001, and 2002, that the rate assigned to an employer may not exceed one hundred thirty percent of the previous year's rate for that employer and that an employer may not receive more than a ten percent decrease in rate from the previous year's rate, on the following employers:

an experience-rated employer that was a new employer the previous year,

a negative employer that was a positive employer the previous year,

a positive employer that was a negative employer the previous year,

an employer that has failed to file a report,

a new employer, and

an employer that chose to make payments in lieu of contributions.

UTAH SB 179 (CH ENACTED March 19, 2001 EFFECTIVE retroactive to December
265) 21, 2000

Coverage

Extends UI coverage to services performed in the employ of an Indian tribe or tribal unit.

Allows Indian tribes and tribal units either to pay contributions or make reimbursements.

Provides that failure of any Indian tribe or tribal unit to make requires payments within 90 days of receipt of a billing will cause the Indian tribe to lose the reimbursement option.

Permits reimbursing Indian tribes or tribal units to establish group accounts.

VIRGINIA HB 1955 ENACTED and EFFECTIVE March 26, 2001
 (CH 721)

Financing

Non charges benefits paid to an inmate participating in a work-release program when the inmate's separation from work arose from conditions of release or parole from such program.

WYOMING HB 94 ENACTED and EFFECTIVE March 2, 2001
 (CH 187)

Administration

Creates a department of workforce services and instructs the new director of that department to prepare a plan for reorganizing various agencies and functions, including the possible transfer of unemployment insurance and other functions to the Department of Workforce Services. The plan is to be submitted to and approved by the Governor and submitted to the joint labor, health and social services interim committee of the legislature no later than October 15, 2001.

WYOMING SB 53 ENACTED March 1 , 2001 EFFECTIVE January 1, 2001
 (CH 148)

Financing

For calendar year 2002, lowers contribution rates by 30 percent for experience-rated employers and employers at the base rate of 8.5 percent.