



Ohio Legislative Service Commission

Bill Analysis

Julie A. Rishel

H.B. 2

130th General Assembly
(As Introduced)

Reps. Derickson and Brown

BILL SUMMARY

- Requires the instructions for an individual's work search efforts to be eligible for unemployment compensation benefits to include that the individual must register with OhioMeansJobs through its web site.
- Requires an individual who is registered on the OhioMeansJobs web site to receive a weekly listing of available jobs based on information provided by the individual at the time of registration.
- Requires, for an individual to maintain eligibility for unemployment compensation benefits, the individual to contact the individual's local one-stop office for additional services beginning with the eighth consecutive week in the individual's benefit year in which the individual files for benefits, regardless of any previous contact with that office.

CONTENT AND OPERATION

Registering with OhioMeansJobs

As explained under "**Background – Unemployment Compensation Law**," below, to be eligible for unemployment compensation benefits continuing law requires an individual, in addition to satisfying other requirements, to be able to work, available for suitable work, and actively seeking suitable work. The Director of Job and Family Services, who administers and enforces Ohio's Unemployment Compensation Law, may waive the requirement to be actively seeking suitable work if the individual is subject to a layoff of limited duration.

Continuing law requires that an individual must be instructed as to the efforts that the individual must make in the search for suitable work. The bill requires that

those instructions must require an individual to register with OhioMeansJobs (Ohio's electronic job placement system) through its web site maintained on the Internet unless the active search for work requirement has been waived under continuing law. Under the bill, an individual who is registered on the OhioMeansJobs web site must receive a weekly listing of available jobs based on information provided by the individual at the time of registration.¹

The bill requires, for each week that an individual claims benefits, the individual must keep a record of the individual's work search efforts and must produce that record in the manner and means prescribed by the Director. This appears to be consistent with a current administrative rule regarding complying with work search requirements (current statutory law requires an individual to keep a record of where and when the individual has sought work in complying with the instructions given, and, upon request, to produce that record for examination by the Director).²

Currently, the Director requires an individual who is required to make at least two employer job contacts each week to keep a written record of those contacts and submit the required documentation when the individual files the individual's weekly claim for benefits.³

Contacting a local one-stop office

The bill requires, within six months after the bill's effective date, notwithstanding any earlier contact an individual may have had with a local one-stop county office, beginning with the week in which an individual files the individual's eighth consecutive claim for benefits in the individual's benefit year (see "**Background – Unemployment Compensation Law**," below), the individual must contact a local one-stop county office for additional employment services and assistance as the Director considers appropriate. Under Ohio's workforce development system, every local area within the system must participate in a one-stop system to provide workforce development activities as defined in the Workforce Development Law.⁴

The bill's requirement to contact a local one-stop office is in addition to any continuing law requirement to contact a county one-stop office. Under continuing law, to be eligible for unemployment compensation benefits, an individual must register

¹ R.C. 4141.29(A)(4).

² Ohio Administrative Code (O.A.C.) 4141-29-07.

³ Ohio Department of Job and Family Services, New Work Search Requirements, <https://unemployment.ohio.gov/PublicSelfServiceChoice.html> (accessed February 1, 2013).

⁴ R.C. 4141.29(A)(4)(e), by reference to R.C. 6301.08, not in the bill.



with an employment office or other registration place maintained or designated by the Director. Under rules adopted by the Director, registration begins the week in which a claim is filed and continues for three calendar weeks, including the week of registration.⁵

Continuing law also requires the Director to establish and utilize a system of profiling all new claimants that does all of the following:

(1) Identifies which claimants will be likely to exhaust regular compensation and will need job search assistance services to make a successful transition to new employment;

(2) Refers identified claimants to reemployment services, such as job search assistance services, available under any state or federal law;

(3) Collects follow-up information relating to the services received by those claimants and the employment outcomes for that claimant's subsequent to receiving such services and utilizes that information in making identifications pursuant to (1) above;

(4) Meets such other requirements as the United States Secretary of Labor determines are appropriate.⁶

Background – Unemployment Compensation Law

The Unemployment Compensation Law (R.C. Chapter 4141.) specifies certain conditions that an individual must meet and procedures the individual must follow in order to qualify for unemployment compensation benefits. It also outlines conditions under which an individual who loses a job is disqualified from receiving benefits and specifies conditions under which that individual may remove the disqualification. Generally, an individual qualifies for benefits if the individual files a valid application for benefits, makes a proper claim for benefits, registers at an employment office, and is available and actively searching for work.

An application for determination of benefit rights is valid if the individual filing the application is unemployed, was separated for a nondisqualifying reason, previously was employed by an employer or employers who are subject to the Unemployment Compensation Law in at least 20 qualifying weeks within the individual's base period, and has earned or been paid during those qualifying weeks remuneration at an average

⁵ R.C. 4141.29(A)(3) and O.A.C. 4141-29-01.

⁶ R.C. 4141.29(K).



weekly wage of not less than 27.5% of the statewide average weekly wage (recalculated each calendar year; currently \$230 for 2013⁷). A "qualifying week" generally is any calendar week in an individual's base period with respect to which the individual earns or is paid remuneration in employment subject to the Unemployment Compensation Law. An individual's "base period" is the first four of the last five completed calendar quarters immediately preceding the first day of the individual's benefit year (generally the 52-week beginning with the first day of the week with respect to which the individual first files a valid application for determination of benefit rights), except that if an individual does not have sufficient qualifying weeks and wages in the base period to qualify for benefit rights, the individual's base period is the four most recently completed calendar quarters preceding the first day of the individual's benefit year, which is referred to as the "alternate base period."⁸

HISTORY

ACTION	DATE
Introduced	01-30-13

H0002-I-130.docx/emr

⁷ Ohio Department of Job and Family Services, *Unemployment Compensation FAQs: Establishing Eligibility for Unemployment Compensation Benefits*, http://jfs.ohio.gov/unemp_comp_faq/faq_elig_definitions1.stm (accessed February 1, 2013).

⁸ R.C. 4141.01(O)(1), (Q), and (R), not in the bill.

