
HOUSE BILL 1179

State of Washington

54th Legislature

1995 Regular Session

By Representatives Van Luven, Hargrove, D. Schmidt, Schoesler, Blanton and Thompson

Read first time 01/16/95. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to employer experience rating; and amending RCW
2 50.29.020.

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

4 **Sec. 1.** RCW 50.29.020 and 1993 c 483 s 19 are each amended to read
5 as follows:

6 (1) An experience rating account shall be established and
7 maintained for each employer, except employers as described in RCW
8 50.44.010 and 50.44.030 who have properly elected to make payments in
9 lieu of contributions, taxable local government employers as described
10 in RCW 50.44.035, and those employers who are required to make payments
11 in lieu of contributions, based on existing records of the employment
12 security department. Benefits paid to any eligible individuals shall
13 be charged to the experience rating accounts of each of such
14 individual's employers during the individual's base year in the same
15 ratio that the wages paid by each employer to the individual during the
16 base year bear to the wages paid by all employers to that individual
17 during that base year, except as otherwise provided in this section.

18 (2) The legislature finds that certain benefit payments, in whole
19 or in part, should not be charged to the experience rating accounts of

1 employers except those employers described in RCW 50.44.010 and
2 50.44.030 who have properly elected to make payments in lieu of
3 contributions, taxable local government employers described in RCW
4 50.44.035, and those employers who are required to make payments in
5 lieu of contributions, as follows:

6 (a) Benefits paid to any individuals later determined to be
7 ineligible shall not be charged to the experience rating account of any
8 contribution paying employer.

9 (b) Benefits paid to an individual under the provisions of RCW
10 50.12.050 shall not be charged to the account of any contribution
11 paying employer if the wage credits earned in this state by the
12 individual during his or her base year are less than the minimum amount
13 necessary to qualify the individual for unemployment benefits.

14 (c) Benefits paid to an individual filing under the provisions of
15 chapter 50.06 RCW shall not be charged to the experience rating account
16 of any contribution paying employer.

17 (d) Benefits paid which represent the state's share of benefits
18 payable under chapter 50.22 RCW shall not be charged to the experience
19 rating account of any contribution paying employer.

20 (e) In the case of individuals who requalify for benefits under RCW
21 50.20.050 or 50.20.060, benefits based on wage credits earned prior to
22 the disqualifying separation shall not be charged to the experience
23 rating account of the contribution paying employer from whom that
24 separation took place.

25 (f) In the case of individuals identified under RCW 50.20.015,
26 benefits paid with respect to a calendar quarter, which exceed the
27 total amount of wages earned in the state of Washington in the higher
28 of two corresponding calendar quarters included within the individual's
29 determination period, as defined in RCW 50.20.015, shall not be charged
30 to the experience rating account of any contribution paying employer.

31 (g) Benefits paid to an individual who does not successfully
32 complete an approved on-the-job training program under RCW 50.12.240
33 may not be charged to the experience rating account of the
34 contribution-paying employer who provided the approved on-the-job
35 training.

36 (h) Benefits paid to an individual whose employment was terminated
37 within sixty days of the individual's hiring due to the individual's
38 lack of satisfactory performance shall not be charged to the experience
39 rating account of the contribution paying employer.

1 (3)(a) Beginning July 1, 1985, a contribution-paying base year
2 employer, not otherwise eligible for relief of charges for benefits
3 under this section, may receive such relief if the benefit charges
4 result from payment to an individual who:

5 (i) Last left the employ of such employer voluntarily for reasons
6 not attributable to the employer;

7 (ii) Was discharged for misconduct connected with his or her work
8 not a result of inability to meet the minimum job requirements;

9 (iii) Is unemployed as a result of closure or severe curtailment of
10 operation at the employer's plant, building, work site, or other
11 facility. This closure must be for reasons directly attributable to a
12 catastrophic occurrence such as fire, flood, or other natural disaster;
13 or

14 (iv) Continues to be employed on a regularly scheduled permanent
15 part-time basis by a base year employer and who at some time during the
16 base year was concurrently employed and subsequently separated from at
17 least one other base year employer. Benefit charge relief ceases when
18 the employment relationship between the employer requesting relief and
19 the claimant is terminated. This subsection does not apply to shared
20 work employers under chapter 50.60 RCW.

21 (b) The employer requesting relief of charges under this subsection
22 must request relief in writing within thirty days following mailing to
23 the last known address of the notification of the valid initial
24 determination of such claim, stating the date and reason for the
25 separation or the circumstances of continued employment. The
26 commissioner, upon investigation of the request, shall determine
27 whether relief should be granted.

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