

2021 Regular Session

SENATE RESOLUTION NO. 244

BY SENATOR JACKSON

UNEMPLOYMENT COMP. Requests the Louisiana Workforce Commission study its processes used to determine if an unemployed worker is conducting an active search for reemployment along with available measures to ensure enforcement.

A RESOLUTION

To urge and request the Louisiana Workforce Commission to study its work search requirements for persons receiving unemployment benefits and to provide recommendations for improving their effectiveness and strengthening of the processes for confirming compliance or enforcing compliance in cases of failure to comply.

WHEREAS, Louisiana's unemployment compensation system exists to provide workers who are unemployed through no fault of their own temporary support as they attempt to obtain employment again; and

WHEREAS, employers in agriculture, business, and industry pay taxes into a state unemployment compensation fund via their individual experience-rated tax accounts to provide benefits for their workers in the event their employment is discontinued due to economic circumstances; and

WHEREAS, the COVID-19 pandemic caused serious disruption to agricultural, business, and industrial operations across Louisiana, resulting in unprecedented numbers of workers losing their employment in 2020 and historic levels of unemployment benefit-claiming by affected workers, which overwhelmed the Louisiana Workforce Commission's unemployment claims technology and personnel; and

1           WHEREAS, with the availability of vaccines to immunize individuals from the novel  
2 coronavirus, Louisiana's economy, along with states around the country, is beginning to  
3 recover from the effects of the pandemic; and

4           WHEREAS, the number of claimants for unemployment benefits is substantially  
5 diminished this year from what it was during the second quarter of last year; and

6           WHEREAS, employers in agriculture, business, and industry are finally able to  
7 reopen, engage with customers, receive orders, increase production, and perform services  
8 but are experiencing difficulty finding the workers they need in order to do so, and in some  
9 cases are precluded from even reopening their shops; and

10          WHEREAS, the Louisiana Workforce Commission has an enforcement obligation  
11 under the law to conduct administrative reviews of any claims in which individuals'  
12 continued unemployment is by their own choosing and to disqualify them from receipt of  
13 benefits in such cases; and

14          WHEREAS, any failure to ensure that benefits are properly due and payable to  
15 claimants has an adverse impact on individual employers' experience-rated tax accounts and,  
16 in some instances, may even put the solvency of Louisiana's unemployment insurance trust  
17 fund at risk.

18          THEREFORE, BE IT RESOLVED that the Senate of Louisiana does hereby urge  
19 and request the Louisiana Workforce Commission to conduct a comprehensive study of its  
20 requirements and procedures related to unemployed individuals' search for work, as well as  
21 make an inventory of the investigatory and enforcement tools at its disposal, review  
22 measures existing in other states to address the verification of such work searches,  
23 particularly those states that provide mechanisms and forms for employers to easily report  
24 job offer refusals or failures to interview for positions, and ensure that sufficient protections  
25 exist for those unemployed who are determined to have failed to conduct a proper work  
26 search so that they may appeal and where found appropriate, have their benefits reinstated.

27          BE IT FURTHER RESOLVED that the Louisiana Workforce Commission shall  
28 prepare and submit a final report that contains a detailed statement of its findings and policy  
29 recommendations, including any proposed legislation, to the Senate Committee on Labor  
30 and Industrial Relations no later than February 1, 2022.

1           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
2 secretary of the Louisiana Workforce Commission.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Jerry J. Guillot.

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	DIGEST	
SR 244 Original	2021 Regular Session	Jackson

Requests the La. Workforce Commission to study its requirements and procedures related to unemployed individuals' search for work, as well as make an inventory of the investigatory and enforcement tools at its disposal, review measures existing in other states to address the verification of such work searches, particularly those states that provide mechanisms and forms for employers to easily report job offer refusals or failures to interview for positions, and ensure that sufficient protections exist for those unemployed who are determined to have failed to conduct a proper work search so that they may appeal, and where found appropriate, have their benefits reinstated. Requires that commission submit a final report that contains a detailed statement of its findings and policy recommendations, including any proposed legislation, to the Senate Committee on Labor and Industrial Relations no later than February 1, 2022.