Unemployment Insurance Advisory Committee

Meeting details

Date: Wednesday, May 15th, 2024
Time: 10:00am - 12:00 pm
Location: Zoom

Committee members and alternates present	Committee members and alternates absent

Committee members and alternates present

Employee Representatives
- Josh Swanson, Operating Engineers 302
- Brenda Wiest, Teamsters 117

Employer Representatives
- Bob Battles, Association of Washington Business
- Julia Gorton, Washington Hospitality Association

General Public Representatives
- Anne Paxton, Unemployment Law Project

Committee members and alternates absent

- Josie Cummings, Avista
- Tammie Hetrick, Washington Food Industry Association (alternate employer rep)
- Monica Holland, Northwest Justice Project (alternate public rep)
- Sybill Hyppolite, Washington State Labor Council
- Allyson O'Malley-Jones, Northwest Justice Project
- Cindy Richardson, UNITE HERE Local 8
- Joe Kendo, WA State Labor Council (employee rep)
- (alternate public rep)
- William Westmoreland, Pac Mtn WF Dev Council

ESD staff
- Joy Adams
- Joshua Dye
- Vaughn Ellis
- Stephanie Frazee
- Camille Galeno
- Colin Helsley
- Lawrence Larson
- Marypat Meuli
- Jared Nilsen

- JR Richards
- Jeremy Satre
- Eve Sheng
- Stephanie Sams

Summary

Meeting Recorded
This meeting was [recorded](#) and also livestreamed by TVW.

Welcome and Opening Remarks
Committee chair JR Richards, Director of Unemployment Insurance Customer Support, ESD welcomed everyone to the meeting and asked committee assistant Colin Helsley to call roll.

Meeting Minutes
JR requested that everyone review the March 29, 2024 UIAC meeting minutes and provide their feedback. Julia Gorton moved to approve the minutes. Brenda Wiest seconded the motion. All in favor said "aye". No members were opposed. The March 29, 2024 meeting minutes were approved.

Agenda
JR reviewed the following agenda items (also see Addendum I)
- Approval of March 29, 2024 meeting minutes
- Rulemaking Update
- Wage Replacement for Undocumented Workers Workgroup
- Work Search Requirements Report
- Minimum Weekly Benefit Report (MWBR)
- UI Program Analysis Project Introduction
- Web Modernization
- Public comment
- Adjourn

Rulemaking Update
JR then turned the meeting over to Stephanie Frazee, Legislation and Rules Coordinator, ESD, to provide an agency rulemaking update. Stephanie presented information from the following slides.

Rulemaking

- **Failure to Respond –** Working on update to WAC 192-140-035 to address both disqualification and ineligibility for failure to respond. Draft rules have been shared and comments are due on June 2.

- **Expanded Voluntary Quits (HB 1106)** – Draft rules incorporating quitting due to inaccessible care for a child or vulnerable adult and defining a split shift were shared. No comments were received. Working on the CR 102. Rulemaking hearing will likely be in early July.

Rulemaking

- **Transportation Network Companies (HB 1570) –** Working on drafting rules concerning relief of benefit charges for part-time workers and potential other rules needed to implement bill.

- **Cross-Program Payment Allocation –** Hearing will take place on June 25 at 9:00 AM.

- **WAC 192-220-070 Cross Reference Clean Up –** Final rule adopted on May 10 and will be effective on June 10.

Anne Paxton asked whether the draft rules concerning relief of benefit charges for part-time TNC workers was announced at a previous meeting. Stephanie answered that it was discussed at the previous meeting and added that this would apply to employers more broadly rather than just to TNCs. Anne asked if there are any written materials on this yet. Stephanie answered that the draft rules have not yet been shared as they are still being worked on, and that when ready, they will be shared with the committee for feedback.

Wage Replacement for Undocumented Workers Workgroup
Stephanie Frazee also presented information on the Wage Replacement for Undocumented Workers Workgroup from the following slide.

Wage Replacement for Undocumented Workers Workgroup

- Work group to:
  - Identify various funding mechanisms for an equitable wage replacement program,
  - explore impact on the trust fund, and
  - provide calculation of <u>amount</u> of benefits provided through the program.
- Work group member recruitment is underway
- First meeting will be in late May
- Monthly meetings thereafter
- Report due by November 15, 2024

Bob Battles asked about the recruiting process, how big the workgroup will be, and how many people are in it so far. Joy Adams, Director of Employment System Policy and Integrity, ESD answered that there are eleven members total, two being from the business community, two from labor, two people from the immigrant community, as well as people from the Commission on African American Affairs, the Commission on Hispanic Affairs, and the Commission on Asian American affairs.

Work Search Requirements Report

Stephanie Sams, UICS Policy and Legislative Implementation Manager, ESD presented information to the committee on the Work Search Requirements Report using the following slide.

Work Search Requirements report

- Report due to Legislature July 2024:
  - Background
  - Improper UI payments and work search errors
  - Implementing work search flexibilities and impacts
    - 2021 rulemaking defined what is considered suitable job search contact & added more approved activities
    - Have seen a decline in improper payments due to work search activities in audits
  - Next steps
    - UIAC response
    - Research and direction for 2026 report

Julia Gorton asked for an example of the second bullet item: the decline in improper payments due to work search activities and audits. Julia asked what kind of declines where happening before, and how this has changed. Stephanie answered that prior to the flexibilities activities such as adult basic education classes, much of that work was done in person and much of the reporting was done in WorkSource offices, meaning a large in-person presence was needed both to do the work and to capture it. Stephanie continued that a lot of this can now be done virtually as some classes are conducted online and this has made it more convenient to document and track work search activities,

one example being that screenshots can be used to capture registration for virtual classes or confirmation of completion of classes. This has led to more consistency in following the directions and has contributed to the decline in improper payments.

Joy Adams commented on the helpfulness of now having a consistent mechanism to keep eyes on this and to continue to improve work search, as the pairing of work search and unemployment insurance benefits allows people to get back to their regular lives.

Stephanie ended by reminding the committee that this report is due July 1 and to please provide thoughts and feedback by May 28th so it may be included in the report to the legislature.

Minimum Weekly Benefit Report (MWBR)
JR Richards turned the meeting over to Josh Dye, Legislative Affairs Manager, ESD who presented on the Minimum Weekly Benefit Report using the following slides.

Minimum Weekly Benefit Report (MWBR)

Revised 2023 report, and proposed approach for 2024 report:

- Removed casual analysis
- Focus on descriptive statistics
- Highlights from the revised 2023 report:
  - Since passage of this policy change, average wage replacement for MWBA recipients has remained consistent.
  - For many MWBA recipients, the amendment to RCW 50.20.120 increased the amount they could claim per week but decreased the total number of weeks in which they could claim benefits.

Minimum Weekly Benefit Report (MWBR)

Wage Replacement

- Since passage of this policy change, average wage replacement for MWBA recipients has remained consistent.

Year	Average weekly wages of MWBA recipients during base year employment	Minimum Weekly Benefit Amount	% wage replacement
2021	$446 per week	$295 per week	66%
2022	$486 per week	$316 per week	65%
2023	$497 per week	$323 per week	65%

Minimum Weekly Benefit Report (MWBR)

Frontloading

- For many MWBA recipients, the amendment to RCW 50.20.120 increased the amount they could claim per week but decreased the total number of weeks in which they could claim benefits.

Those who received:	% of total MWBA recipients
Frontloaded benefits without increasing the maximum benefit amount.	65.1%
An increase to their maximum benefit amount, without frontloaded benefits.	18.5%
An increase to their maximum benefit amount with frontloaded benefits.	13.3%
Neither an increase to their maximum benefit amount nor frontloaded benefits.	3.1%

No questions were raised.

Julia Gorton expressed appreciation for the work done on this report and for the engagement with committee feedback.

UI Program Analysis Project Introduction
JR Richards provided an introduction to the UI Program Analysis Project using the following slide.

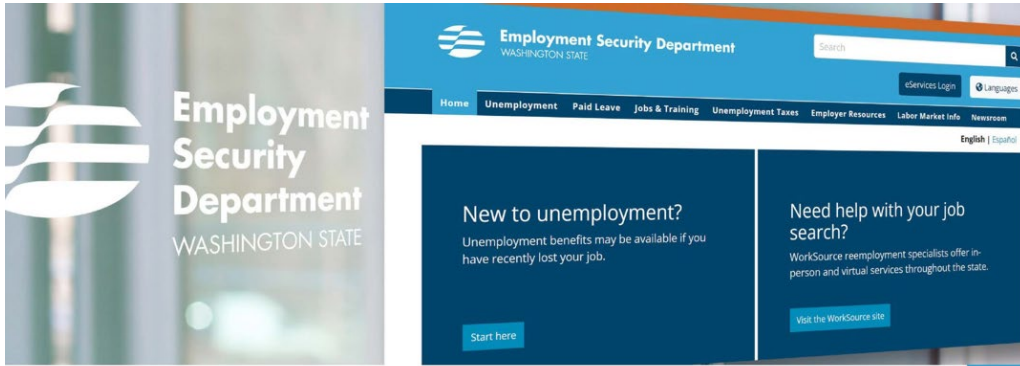## UI Program analysis project introduction

Analysis of existing resources (federal and state) across the program and the impact those resources are having on customer service.

- Gaps and program needs.
- Legislative report (due November 1).
- Funding package.
- Peak mitigation plan.

No questions were raised.

Web Modernization
Jeremy Satre, Change Manager, ESD provided an overview of the web modernization project using the following slides.

ESD.WA.GOV

is our front door!

Create a digital, self-serve experience that removes barriers and welcomes users with warmth, compassion and support for all Washingtonians.
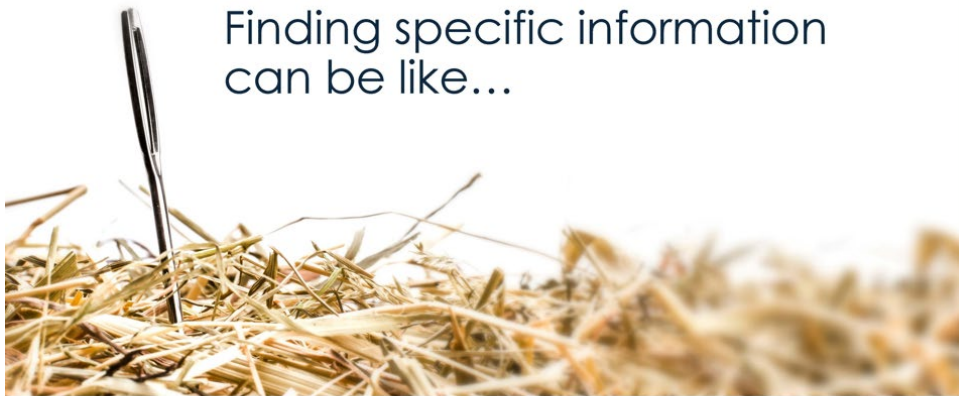
Finding
a contact
number
can be like...

Finding specific information
can be like...
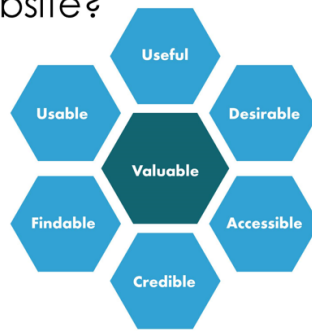
Project vision

- Make it simple to get things done.
- Increase access to ESD services through better usability and simple, less legalese, plain-talk content.
- Focus on what customers need and are looking for when they come to us.
- Be helpful and friendly, but professional.

What makes a good website?

- Intuitive navigation
- Strong visual design and layout
- Responsive design
- Accurate and relevant content
- Clear calls to action

Useful
Usable
Desirable
Valuable
Findable
Accessible
Credible

JR expressed her excitement around this project and its potential to make a meaningful impact on the web user's experience.

Chris Barron, Communications Director, ESD added his agreement and stated the goal of the project to improve access for more individuals. Chris noted that usability and accessibility testing will be done in June and will be aimed at gathering feedback from community members.

Committee Comments
JR opened the floor to committee members to provide comments and suggestions.

Brenda Wiest shared her experience attending a recent national webinar on unemployment insurance policy, noting that a number of slides identified a variety of topics by state and expressing her observation that Washington has done a great job meeting the needs of our varied populations and investing in our system. She added that some states actually appear to fall behind Washington in policy ideas, and that in terms benefits being paid and services identified, Washington is leading the way, especially in regards to the undocumented workers workgroup.

Public Comments
JR reminded meeting participants that if they would like their comments captured in the meeting minutes to please email them to camille.galeno@esd.wa.gov.

No public comments were made.

Adjourned

JR thanked everyone for joining and adjourned the meeting.

Action Items
- o Committee members: please provide any thoughts or feedback on the Work Search Requirements Report as well as the Minimum Weekly Benefit Report by May 28th. You may email Camille.galeno@esd.wa.gov, JR, Caitlyn or Josh with your feedback.

Next meeting:

June 26th, 2024, from 10:00am to 12:00 p.m. via Zoom.

Employment Security Department
WASHINGTON STATE

Agenda

Unemployment Insurance Advisory Committee (UIAC)

Wednesday, May 15, 2024 | 10:00 am - 12:00 pm | Via Zoom| 212 Maple Park Ave SE, Olympia, WA 98501

Time	Topic
10:00 am	Welcome from JR Richards, Unemployment Insurance Customer Support (UICS) Director, Employment Security Department (ESD) o Agenda overview
10:05 am	Approval of March 29, 2024 meeting minutes
10:10 am	Rulemaking Update – Stephanie Frazee
10:15 am	UI for Undocumented Workers Workgroup - Stephanie Frazee
10:35 am	Work Search Requirements report - Stephanie Sams
10:55 am	Minimum Weekly Benefit Report (MWBR) - Josh Dye
11:15 am	UI Program analysis project introduction – JR Richards
11:30 am	Web Modernization – Jeremy Satre
11:50 am	Public Comment
12:00 pm	Adjourn

For more information, please visit the UIAC website at https://esd.wa.gov/newsroom/UIAC

RECORDING DISCLAIMER:

This meeting is being recorded and will be live streamed by TVW. Please be advised that your image and voice will be captured and recorded during the videoconference. Your participation in this videoconference equals consent to be recorded as required by law.

Addendum II

Employment Security Department
WASHINGTON STATE

Unemployment Insurance Advisory Committee

Aug 2023 – June 2024 Meeting Dates

Date	Location	Host	Notes
Aug 2, 2023 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting
Sept 11, 2023 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting
Oct 18, 2023 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting
Dec 6, 2023 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting
Jan 26, 2024 2:00 PM – 3:00 PM	Zoom	ESD	Recorded meeting
Feb 23, 2024 2:00 PM – 3:00 PM	Zoom	ESD	Recorded meeting
Mar 29, 2024 2:00 PM – 3:00 PM	Zoom	ESD	Recorded meeting
May 15, 2024 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting
June 26, 2024 10:00 AM – 12:00 PM	Zoom	ESD	Recorded meeting