

# 2009 VIRGINIA GENERAL ASSEMBLY

## Summary of Unemployment Compensation Bills

### **PASSED**

**HB 1889/Nixon - minimum earnings requirement (MER).** Postpones the scheduled MER increase (from \$2,700 to \$3,000) for one year (from July 2009 to July 2010). *The scheduled increase was a business-backed bill passed in 2008. This measure was a Governor's bill and one in which he asked for the business community's concurrence. We agreed.*

**SB 1495/Locke - trailing spouse.** Provides benefits to an employee who voluntarily leaves a job to accompany a military spouse to a new assignment in another locality. The measure applies only if the state to which the spouse is transferred has a similar provision, unless the transfer involves members of the Virginia National Guard relocated within the Commonwealth. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant's employer. This measure shall become effective if the federal government appropriates funds for this purpose. *The business community did not oppose the measure provided the federal government provides the benefits.*

### **FAILED**

**HB 1816/Morrissey - eligibility of seasonal or temporary workers.** Disqualifies an unemployed individual for benefits if he was provided with

written notice, and signed an acknowledgment of receipt of such notice, by his employer stating that his employment is temporary or seasonal and will terminate by a date certain or upon the completion of seasonal work specified in the written notice.

**HB 2046/Gear - eligibility of seasonal or temporary workers.** Authorizes the Virginia Employment Commission (VEC) to designate, upon an employer's application, that an employer's establishment is a seasonal establishment that customarily operates only during a regularly occurring period of between 13 and 40 weeks in any 12-month period. Employees at a seasonal establishment shall not be paid benefits with respect to employment that was performed at a seasonal establishment during the establishment's operating season if (i) his employment terminated when the establishment's stated operating season expired, (ii) the employer notified the employee prior to commencing employment that he will be performing service in a seasonal establishment, and (iii) the employer posted notices that employees are performing service in a seasonal establishment. Any benefit charges assessable with respect to the employee that are due to other employment will not be the responsibility of the seasonal employer.

*This summary is provided for the Virginia Chamber's Business Task Force on Unemployment Compensation and its members. It summarizes important unemployment compensation issues acted on in the 2009 session. Measures are not law until signed by the Governor or acted on in the "veto" session. For bill copies or complete legislative histories, please contact the Virginia Chamber or access the state's Legislative Information System at:  
<http://leg1.state.va.us/>*

**SB 917/Reynolds - wage offset for concurrent job.** Provides that the weekly benefit to which an eligible individual is otherwise entitled shall not be reduced or “offset” by wages payable to the individual from another position that the individual has held continuously at least since the week preceding the job separation. *Currently, an individual's weekly benefit amount is reduced or “offset” on a dollar-for-dollar basis by any wages that he earns in that week in excess of \$50. The business community opposed this measure.*

**SB 1376/Ruff - waiting week.** Eliminates the current requirement that applicants for benefits wait one week prior to receiving benefits. *The business community persuaded the patron to strike his bill.*

*Last updated 2/28/09*

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