

SENATE RESOLUTION NO. 244

BY SENATOR JACKSON

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED that the Senate of Louisiana does hereby urge and request the Louisiana Workforce Commission to conduct a comprehensive study of 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.

BE IT FURTHER RESOLVED that the Louisiana Workforce Commission shall prepare and 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.

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

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PRESIDENT OF THE SENATE