



# Research BULLETIN



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## STATE UNEMPLOYMENT INSURANCE LEGISLATION AND ADMINISTRATIVE CHANGES ADOPTED IN 2014

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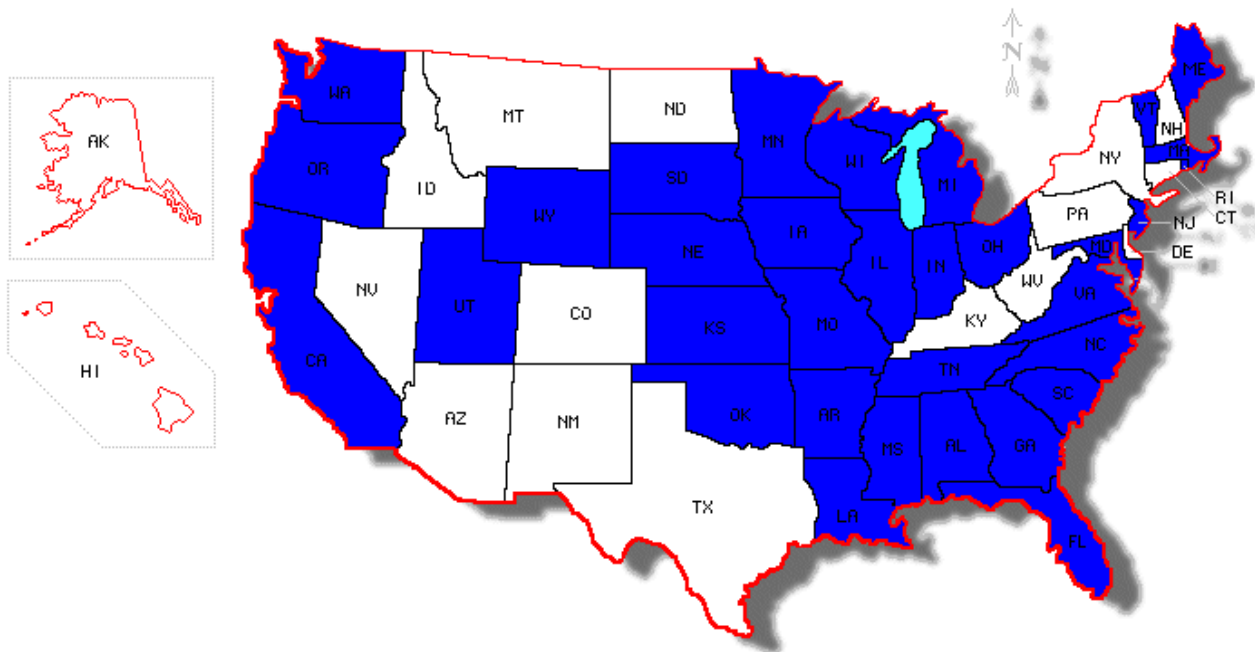
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### Map of States Enacting Legislative Changes in 2014



### Executive Summary

There was less legislative activity in 2014 than in recent years with only thirty-two states enacting UI legislation, but all but five states adopted new administrative rules. Some changes were made to conform to the Trade Adjustment Assistance Extension Act of 2011 regarding the prohibition on non-charging accounts due to employer fault while others related to solvency or automatic triggers in existing state law. A trend analysis of these developments is provided in the summary below. A detailed summary of the legislative and administrative changes in the 50 states, District of Columbia, Puerto Rico and the U.S. Virgin Islands follows.

### Taxable Wage Base

**The taxable wage base was modified in the following states:** AK, CO, FL, HI, ID, IA, KY, KS (2015-16) MD, MN, MT, NV, NJ, NC, ND, OK, OR, PA, RI, SC, SD, UT, VT, VI, WA and WY.

### Minimum and Maximum Tax Rate

**The following states modified the current minimum or maximum tax rate on employers:** AK, AR, AZ, CO, DC, FL, HI, IL, IA, ID, KS, LA, ME, MD, MA, MI, MN, MS, NM, NC, ND, OH, OK, OR, SC, TX, UT, VA, WA, WI and WY.

### Rates for New Employers

**States that modified the rate for new employers:** AK, GA, KS, MN, MS, NE, NM, ND, OH, OK, RI, SC, TN, UT, VA and VI.

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### **Surcharges, Assessments or Contributions**

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**The following states modified surcharges, assessments or contributions levied upon employers for issues such as job training, solvency or to pay interest on federal loans: FL, IL, IN, KY, LA, MS, NV, TN, TX, and WY.**

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### **Bonding UI Debt**

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**The following states passed legislation related to bonding existing or future UI debt: None.**

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### **UI Benefit Eligibility or Exemption from Coverage**

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**The following states amended requirements for UI eligibility:** FL, GA, MI (educational instruction employees); IN (children of parent owned company); MI (non-agricultural workers under H-2B or J-1 visa); SC (motor carriers utilizing independent contractors; corporate officers); VA (graduate student between academic years; spouse voluntarily quitting to follow reassigned military spouse; financial literacy volunteer at non-profit); VT (self-employment).

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### **Seasonal Employment**

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**The following states modified law related to seasonal employment: None.**

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### **Minimum or Maximum Weekly or Potential Benefit Amount**

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**The following states changed the minimum or maximum weekly or potential benefit amount for claimants: AZ, CO, CT, HI, ID, IL, IA, KS, MA, ME, MN, MT, NV, NJ, NM, OH, OK, OR, RI, SD, TX, UT, VT, VI, WA, WI and WY.**

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### **Duration of Benefits**

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**The following states amended state law regarding the duration of benefits:** AZ, HI, ID, IL, KS, KY, MA, ME, MN, MT, NE, NV, NJ, ND, OH, OK, OR, RI, SD, UT, VI, WA, WI and WY.

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### **Dependent Allowance**

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**The following states added a provision or amended state law relating to dependence allowance for UI claimants: IL, MA, ME, NM, OH, and RI.**

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### **Compelling Family Reasons/Domestic Violence/Sexual Assault/Stalking**

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**The following states modified the law to permit workers to qualify for UI if the claimant is separated from work due to compelling family reasons: MN.**

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### **Approved Training**

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**The following states modified UI benefit eligibility for claimants in an approved training program: ME, PA and SD (repeal).**



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**Work Sharing Plans (Short-time Compensation)**

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**The following states implemented or modified state work sharing provisions:** CA, CT, DC, FL, KS, LA, ME, MD, MA, MO, NJ, OK (eliminated), OR, PA, VT, VA and WA.

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**Employee Classification or Misclassification**

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**The following states amended their state law regarding employee classification versus independent contractors:** CA.

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**Fraud, False Statements or Overpayments**

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**The following states made changes regarding fraud, false statements or overpayments:** GA, IN, MN, and VT.

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**Penalties or Disqualification**

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**The following states amended their state law regarding employer or claimant penalties or disqualification from benefits:** IN, IA, KS, KY, LA, MO, MS, OH, VT and WY.

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**Work Search and Reemployment Services**

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**The following states amended their state law regarding work search or reemployment service provisions:** CA, FL, IA, NJ, MS, OR and VI.

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**Suitable Work**

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**The following states modified what constitutes “suitable work” or penalties for refusing suitable work:** WI.

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**Temporary or Employment Leasing Agency, TPA or PEO Provisions**

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**The following states modified the law related to TPAs or PEOs (excludes Sec. 252 provisions already noted in overpayments and penalty summaries):** NJ, OH and OK.

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**Hearings, Appeals and Settlements**

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**The following states modified the law related to UI appeals or hearings:** AZ, CA, IN, NE and OR.

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**Successor Liability/Transfer of Experience**

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**The following states modified the law related to the transfer of UI experience when one company acquires or purchases the assets of another:** AL, CA, NE and RI.

**ALABAMA**

– Amended Statute

**Legislation:**

■ **SB 48** was signed by Alabama Governor Robert Bentley on April 3, 2014, 2014. The bill defines an employing unit as an employer that acquires at least 65 percent of an organization, trade, employees, or business located in the State of Alabama, or substantially all of the assets thereof, of another employing unit. Click [here](#) for a copy of **SB 48**.

**Administrative Changes:** None

**ALASKA**–Made  
Administrative  
Changes

**Legislation:** None

**Administrative Changes:**

- ◆ Increased the taxable wage base from \$37,400 to \$38,700.
- ◆ Decreased the average industry tax rate for new employers from 1.98% to 1.53%.
- ◆ Decreased the maximum current tax rate from 5.98% to 5.40%.

**ARIZONA**– Amended Statute  
and Made  
Administrative  
Changes**Legislation:**

■ **HB 2115** was signed by Arizona Governor Janice K. Brewer on April 25, 2014. The bill: (1) defines severance pay as any sum of money an employer pays to an employee due to the employee's retirement, participation in an exit incentive program or due to the termination of employment; and (2) excludes any sum of money that an employer pays an employee pursuant to an employee benefit plan from the definition of severance pay. Click [here](#) for a copy of **HB 2115**.

■ **HB 2260** was signed by Governor Janice K. Brewer on April 23, 2014. The bill: (1) defines *audit* for the purposes of the statutory Small Business Regulatory Bill of Rights as an audit, investigation or inspection pursuant conducted by the Department of Economic Security (Department) unemployment insurance tax office or the Industrial Commission; (2) includes *audits* in the notice requirements for the Small Business Regulatory Bill of Rights; (3) clarifies that administrative hearings in contested cases for unemployment insurance tax audit cases or Industrial Commission cases shall be heard by an independent administrative law judge as prescribed by state law governing the programs; (4) requires each state agency that conducts audits, inspections or other regulatory enforcement actions to create and clearly post on the agency's website a small business bill of rights; (5) requires the agency to create the Small Business Bill of Rights by selecting the applicable rights

prescribed in statutes prescribing the Small Business Regulatory Bill of Rights and any other agency-specific statutes and rules; (6) requires the agency to provide a written copy of the bill of rights upon request of an authorized on-site representative of the regulated small business; (7) specifies that the notice must include the process by which a small business may file a complaint with the agency employees designated to assist members of the public or regulated community and the contact information of the designated employees; (8) specifies that if the regulated person has made a reasonable effort to resolve the problem with the agency, the regulated person may contact the Ombudsman-Citizens Aide; (9) includes *audits* and *auditors* in the requirements for inspections and audits of regulated persons. Click [here](#) for a copy of HB 2260.

#### **Administrative Changes:**

- ◆ Increased the maximum rate on the lowest and highest schedules from 7.17% to 7.79%.
- ◆ Increased the wages required for minimum benefits from \$4,622 to \$4,710 in the base period, and from \$3,081 to \$3,140 in the high quarter.
- ◆ Increased the minimum weekly benefit amount from \$123 to \$126.
- ◆ Increased the number of weeks allowed for minimum benefits from 12+ to 13+.

#### **ARKANSAS**

– Made  
Administrative  
Changes



**Legislation:** None.

#### **Administrative Changes:**

- ◆ Increased the maximum rate on the lowest schedule from 9.90% to 11.90%.
- ◆ Increased the minimum rate on the highest schedule from 0.10% to 0.90%.
- ◆ Increased the maximum rate on the highest schedule from 12.0% to 12.80%.
- ◆ Changed the requirement for the highest schedule to be a trust fund balance of less than 4% of the previous year's payrolls.

#### **CALIFORNIA**

– Amended Statute  
and Made  
Administrative  
Changes



#### **Legislation:**

■ **AB 548** was signed by California Governor Jerry Brown on August 15, 2014. The bill eliminates language in the state UI law that requires the California Workforce Investment Board, in collaboration with state and local partners, including the Chancellor of the California Community Colleges, the State Department of Education, other appropriate state agencies, and local workforce investment boards to develop a strategic workforce plan to serve as a framework for the development of public policy, fiscal investment, and operation of all state labor exchange, workforce education, and training programs to address the state's economic, demographic, and workforce needs. Click [here](#) for a copy of AB 548.

■ **AB 1556** was signed by California Governor Jerry Brown on September 17, 2014. The bill: (1) requires all standard

information employee pamphlets provided by the Employment Development Department concerning unemployment and disability insurance programs to be printed in English and separately in the 7 other most commonly used languages among participants in each program as well as make pages on its Internet Web site that provide information regarding applying for, and receiving, unemployment insurance (UI) benefits available in the 7 languages, other than English, most commonly used by UI applicants and claimants; (2) requires the Director to periodically review policies and practices used to determine eligibility for and the amount of benefits in the UI program, as specified, and report to the Legislature the results of the first review on or before July 1, 2015; (3) prohibits an unemployed individual who is meeting specified requirements and is certifying for continued UI from being scheduled for a determination of eligibility for a week in which the individual commenced or is participating in a training or education program and has notified the Department of the training or education program and permits the department to schedule and conduct a determination of eligibility if the department determines that the commencement of, or the ongoing participation in, a training or education program conflicts with the eligibility requirements for UI; (4) requires a continued claim for UI benefits to be submitted within a specified period and prohibits an unemployed individual from being disqualified for UI benefits solely on the basis that the continued claim was submitted within a specified period; and (5) makes an ongoing appropriation because it makes changes to existing eligibility requirements for UI benefits that would result in additional amounts being payable from the Unemployment Fund. Click [here](#) for a copy of AB 1556.

■ **AB 1792** was signed by California Governor Jerry Brown on September 30, 2014. The bill requires an annual report that identifies each employer that employs 25 or more beneficiaries enrolled in a public assistance program, defined as Medi-Cal, CalFresh and CalWORKS. Click [here](#) for a copy of AB 1792.

■ **SB 104** was signed by California Governor Jerry Brown on March 1, 2014. The bill: (1) directs the California Employment Training Panel to identify training for workers in regions suffering from high unemployment and low job creation or regions identified in a proclamation of a state of emergency issued by the Governor under the California Emergency Services Act; (2) permits the panel to waive the minimum wage requirements provided that the post-retention wage of each trainee who has completed training and the required training period exceeds his or her wage before and during training; and (3) states this determination shall be made on a case-by-case basis to ensure that post-training improvements in earnings are sufficient to warrant the investment of public funds. Click [here](#) for a copy of SB 104.

■ **SB 1131** was signed by California Governor Jerry Brown on July 10, 2014 and enrolled and engrossed on August 21, 2014. The bill excludes members of an LLC, treated as a partnership for federal income tax purposes, from the definition of employee. Click [here](#) for a copy of SB 1131.

■ **SB 1141** was signed by California Governor Jerry Brown on September 28, 2014. The bill requires the Director of Employment Development to permit the use of UI quarterly wage data of former inmates who have been incarcerated within the

prison system by the Department of Corrections and Rehabilitation to assess the impact of rehabilitation services or the lack of these services on the employment and earnings of these former inmates. Click [here](#) for a copy of SB 1141.

■ **SB 1314** was signed by California Governor Jerry Brown on September 17, 2014. The bill: (1) extends the deadline for a person who is denied unemployment benefits to file an appeal with an administrative law judge to 30 days; and (2) makes the same extension for appeals to the California Unemployment Insurance Appeals Board. Click [here](#) for a copy of SB 1314.

■ **SJR 18** was passed by both houses and chaptered by the California Secretary of State on April 15, 2014. The resolution asks Congress to renew the extension of the Emergency Unemployment Compensation (EUC) Program and EUC benefits. Click [here](#) for a copy of SJR 18.

### **Administrative Changes:**

- ◆ Increased the required duration of worksharing plan before new approval is required from 6 months to 12 months, effective July 6, 2015.
- ◆ Adjusted the required reduction of work related to worksharing plans to “At least 10% but not more than 60%.
- ◆ Changed the rules for employers involved in transfers of experience as follows: (1) California provides for mandatory transfer of reserve account attributable to a transferred business when an employer transfers all or part of its business or payroll to another employer and at the time of transfer, both employers are under common ownership, management, or control. A

reserve account transfer is optional when the employer submits an Application for Transfer of Reserve Account and there was an acquisition of unrelated businesses; (2) A predecessor’s reserve account balance is transferred to and combined with the successor’s reserve account balance to determine the new Unemployment Insurance Contribution Rates; (3) For mandatory transfers of reserve account, a change in contribution rate caused by transfer of all or a portion of the separate account shall not become effective earlier than the beginning of the calendar quarter succeeding the effective date of the transfer. Except in the case where fraud, intent to evade misrepresentation, or willful nondisclosure is found, the notice of correction shall be issued before the expiration of the rating year to which the statement relates; (4) Applications for optional transfer of reserve account between unrelated parties are effective as of the date of acquisition if the application is submitted within 90 days of acquisition. If the application is submitted more than 90 days after the date of acquisition, the effective date of the transfer is the first day of the calendar quarter next succeeding the date of the application.

## COLORADO

–Made  
Administrative  
Changes



**Legislation:** None.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$11,700 to \$11,800.



- ◆ Decreased the minimum current tax rate from 0.66% to 0.62%.
- ◆ Decreased the maximum current tax rate from 8.90% to 8.15%.
- ◆ Increased the maximum weekly benefit amount range from \$481-521 to \$484-532.
- ◆ Increased the maximum potential benefit amount from \$13,754 to \$13,834.
- ◆ Increased the minimum wage credits required for maximum weekly benefits from \$55,016 to \$55,328 in the base period.

### CONNECTICUT

– Made  
Administrative  
Changes



**Legislation:** None.

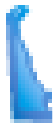
#### **Administrative Changes:**

- ◆ Increased the maximum weekly benefit amount range from \$590-665 to \$594-669.
- ◆ Increased the minimum wage credits required for maximum weekly benefits from \$15,340 to \$15,444 in the high quarter and from \$23,600 to \$23,760 in the base period.
- ◆ Increased the maximum weekly basic benefit for dependents from \$590 to \$594.
- ◆ Increased the maximum potential benefits from \$15,340 to \$15,444 without dependents and from \$17,290 to \$17,394 with dependents.
- ◆ **Duration of Benefits:** Increased the maximum amount of potential benefits range from \$15,349-\$17,290 to \$15,444-\$17,394. Increased the wage credits required for maximum benefits from \$15,340 to \$15,444 in the high quarter, and from \$23,600 to \$23,760 in the base period.
- ◆ Adjusted the required reduction of work related to worksharing plans to “At least 10% but not more than 60%.”
- ◆ CTDOL modified its Shared Work regulations to meet conformity requirements and update certain aspects. The regulations may be accessed [here](#). Effective June 6, 2014, among the modifications made to the regulations are the following:
  - (a) Expansion of the definition of “affected unit” by permitting employers to apply for the program for units (departments, shifts) consisting of two or more employees (as opposed to four employees);
  - (b) Expansion of the eligibility criteria for employers to participate in the Shared Work Program by noting the following: Prior to July 1, 2014, the shared work plan reduces the normal weekly hours of work for the participating employees in the affected unit by not less than twenty (20) percent nor more than forty (40) percent. For shared work plans effective on or after July 1, 2014, the shared work plan reduces the normal weekly hours of work for the participating employees in the affected unit by not less than ten (10) percent nor more than sixty (60) percent.
  - (c) Expansion of an employee’s eligibility for shared work compensation by ensuring that Shared Work claimants are eligible for a dependency allowance and expanding the qualifying normal weekly hours as follows: Prior to July 1, 2014, the

individual's normal weekly hours of work have been reduced by at least twenty (20) percent but not more than forty (40) percent, with a corresponding reduction in wages. For shared work plans effective on or after July 1, 2014, the individual's normal weekly hours of work have been reduced by at least ten (10) percent but not more than sixty (60) percent, with a corresponding reduction in wages.

### DELAWARE

– No Changes



**Legislation:** None.

**Administrative Changes:** None.

### DISTRICT OF COLUMBIA

– Made  
Administrative  
Changes



**Legislation:** None.

**Administrative Changes:**

- ◆ Decreased the minimum rate on the highest schedule from 1.90% to 1.80%.
- ◆ Decreased the maximum rate on the highest schedule from 7.40% to 7.20.
- ◆ Authorized short-time compensation for participants in worksharing plans with the following conditions: (1) 12 month required duration of plan before new approval is required; (2) a limit of 26 weeks; (3) a required reduction of work of at least 20% but not more than 40%; (4) financing of participating employers of 100%.

### FLORIDA

– Amended Statute  
and Made  
Administrative  
Changes



**Legislation:**

■ **HB 7023** was signed by Florida Governor Rick Scott on June 20, 2014. The bill: (1) amends definitions used in the Reemployment Assistance Program Law, by deleting the definition of the initial skills review; (2) amends benefit eligibility conditions, by deleting from paragraph (c) that participation in the initial skills review is a condition of reporting to make continued claims for benefits; (3) requires DEO must offer an online assessment that serves to identify an individual's skills, abilities, and career aptitude; (4) states the skills assessment must be voluntary, and the department must allow a claimant to choose whether to take the skills assessment and must be made available to any person seeking services from a regional workforce board or one-stop career center; (5) requires DEO to provide to a claimant who elects to complete the assessment with the outcome and must also be provided to the claimant's regional workforce board and one-stop career center; (6) requires the DEO, the regional workforce board, or the one-stop career center to use the outcome of the assessment to develop a plan for referring individuals to training and employment opportunities; (7) makes aggregate data on assessment outcomes may be made available to Workforce Florida, Inc., and Enterprise Florida, Inc., for use in the development of policies related to education and training programs that will ensure that businesses in Florida have access to a skilled and competent workforce; (8) provides that

individuals must be informed of and offered services through the one-stop delivery system, including career counseling, provision of skill match and job market information, and skills upgrade and other training opportunities at no cost to them; (9) provides that DEO may contract with an entity to create the online assessment in accordance with the competitive bidding requirements; (10) amends STC program relating to definitions to the term “employer-sponsored training” means a training component sponsored by an employer to improve the skills of the employer’s workers; (11) deletes the adjective “temporary” that precedes the term layoffs permitting plans that are designed to avert any layoff may now be approved; (12) provides that the plan must certify that fringe benefits the employer provides to employees will continue to be provided to employees participating in the program as though their workweek has not been reduced or to the same extent as other employees who are not participating in the STC program; (13) specifies that this includes health insurance, retirement benefits under defined benefit pension plans or contributions under a defined contribution plan as well as paid vacation and holidays, and sick leave; (14) provides that the plan must describe the manner in which the requirements of the STC law will be implemented, including a plan for giving notice, if feasible, to an employee whose workweek is to be reduced, together with an estimate of the number of layoffs that would have occurred absent the ability to participate in STC; (15) requires that the terms of the employer’s written plan and its implementation must be consistent with the employer’s obligations under the applicable federal and state laws; (16) provides that STC benefits may not be denied to an otherwise eligible individual because he or she is participating in an employer-

sponsored training or training under the Workforce Investment Act to improve job skills when the training is approved by the department; (17) makes permanent the provision that was first enacted on a temporary basis in 2011, which allows contributions to be paid in equal installments during a year providing the employer has paid an administrative fee of \$5; (18) requires that the Department of Economic Opportunity provides an alternative means of initial and continued claims taking when the department determines that access to the approved electronic means is or will be unavailable. Such alternative means include telephone; and (19) states the DEO must provide public notice when internet filing is or will not be available. Click [here](#) for a copy of HB 7023.

■ **HB 7081** was signed by Florida Governor Rick Scott on May 12, 2014. The bill: (1) provides that to be eligible for a reemployment assistance tax rate based on benefit experience, an employer must have produced for inspection and copying all work records in the employers possession, custody, or control that were requested by DEO or DOR; (2) states that an employer has at least 60 days to provide the requested records before the employer is assigned the standard rate of 5.4 percent; and (3) states that beginning January 1, 2015 the interest rate shall be calculated according to the statutory provision, except that the rate of interest may not exceed one percent per month from and after the date due until payment plus accrued interest is received by DOR. Click [here](#) for a copy of HB 7081.

#### **Administrative Changes:**

- ◆ Decreased the taxable wage base from \$8,000 to \$7,000.
- ◆ Decreased the minimum current tax rate from 0.59% to 0.0024%.



- ◆ Eliminated the Advance Interest Surtax.
- ◆ Eliminated the special benefit disqualification requirement that a claimant must participate in an initial skills review.

### GEORGIA

– Amended Statute and Made Administrative Changes



#### Legislation:

■ **HB 714** was signed by Georgia Governor Nathan Deal on April 24, 2014. The bill clarifies that educational institution employees in voluntary programs are not eligible to receive UI benefits if services are performed in the prior year, term, or vacation period and there is a reasonable assurance of returning to work. Click [here](#) for a copy of **HB 714**.

#### Administrative Changes:

The Georgia Department of Labor adopted the following rules:

- ◆ Added a special disqualification of benefits stipulation as follows: Includes employees of educational institutions, whether the educational institutions are public, non-profit or private, including pre-K schools. Also disqualifies employees of public nonprofit, or other private employer contractors who provide services to, for, with or on behalf of an educational institution; this includes school bus drivers, cafeteria workers, and security workers.
- ◆ Benefit changes related to overpayments, partial unemployment, benefit appeals, and educational service workers became effective October 19,

2014.

- ◆ Tax changes related to charges to experience rating account and limited liability companies, effective December 21, 2014.

### HAWAII

– Made Administrative Changes



#### Legislation: None

#### Administrative Changes:

- ◆ Increased the taxable wage base from \$40,400 to \$40,900.
- ◆ Decreased the tax rate for new employers from 3.4% to 3.0%.
- ◆ Decreased the current minimum tax rate from 0.6% to 0.2%.
- ◆ Decreased the current maximum tax rate from 6.0% to 5.8%.
- ◆ Increased the maximum weekly benefit amount from \$544 to \$551.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$11,424 to \$11,571 in the high quarter and from \$14,144 to \$14,326 in the base period.
- ◆ **Duration of Benefits:** Decreased the maximum potential benefit amount from \$14,564 to \$14,326; Decreased the wage credits required from \$11,739 to \$11,571 in the high quarter, and from \$14,564 to \$14,326 in the base period.

**IDAHO**

–Made  
Administrative  
Changes



**Legislation:** None

**Administrative Changes:**

- ◆ Increased the taxable wage base from \$35,200 to \$36,000.
- ◆ Changed the unemployment fund balance requirement on the lowest schedule to “average of the three highest benefit cost rates over the last 20 years multiplied by 1.20 for 2015”.
- ◆ Decreased the minimum current tax rate from 0.786% to 0.453%.
- ◆ Decreased the maximum current tax rate from 6.8% to 5.4%.
- ◆ Increased the maximum weekly benefit amount from \$357 to \$398.
- ◆ Increased the maximum weekly benefit amount as a percentage of State Average WW from 53% to 57%.
- ◆ Decreased the maximum wage credits required for maximum weekly benefits from \$11,214 to \$8,278.40 in the high quarter.
- ◆ Decreased the maximum wage credits required for maximum weekly benefits from \$11,214 to \$8,278.40 in the high quarter and from \$13,884 to \$10,348 in the base period.
- ◆ **Duration of Benefits:** (1) Increased the maximum potential benefit amount from \$9,282 to \$10,348; (2) Decreased the wage credits required for maximum potential benefits from \$9,282 to \$8,278.40 in the high quarter and from

\$33,044 to \$29,458 in the base period.

**ILLINOIS**

– Amended Statute  
and Made  
Administrative  
Changes

**Legislation:**

■ **HB 11** was approved by Illinois Governor Pat Quinn, on January 29, 2014. The bill provides that if a person is either an unemployed individual who is eligible for UI benefits or an unemployed individual who is no longer eligible for extended benefits because the individual has exhausted his or her extended benefits, then (i) a public utility company that receives any federal or State funds shall not terminate or cut off the gas or electrical services, (ii) a pharmacy or pharmacist who receives any federal or State funds shall not refuse to dispense prescription medication, or (iii) the unemployed individual shall not be sentenced to any period of imprisonment for failure to make child support payments. Click [here](#) for a copy of **HB 11**.

■ **SB 2999** was signed by Illinois Governor Pat Quinn on August 1, 2014. The bill: (1) provides that an applicant for a roofing license must submit satisfactory evidence that he or she has an UI employer account number issued by the Department of Employment Security; and (2) prove he or she is not delinquent in the payment of any amount due under the Unemployment Insurance Act. Click [here](#) for a copy of **SB 2999**.

■ **SB 3530** was signed by Illinois Governor Pat Quinn on December 23, 2014. The bill creates a Shared Work Benefit Program, under which an individual is deemed

unemployed in any week if: (a) the individual works less than his or her normal hours or number of days in a week for the individual's employer; (b) the Director of Employment Security finds that the employer has reduced or restricted the individual's hours or days of work or has rehired an individual previously laid off; and (c) reduced that individual's hours or days of work from those previously worked as the result of a plan by the employer to reduce unemployment and stabilize the work force through a program of sharing the work remaining after a reduction in total hours of work and a corresponding reduction in wages, among not less than 10% of the employer's permanent work force involved in the affected work unit or units. Click [here](#) for a copy of SB 3530.

#### **Administrative Changes:**

- ◆ Reduced the adjusted state experience factor from 3.95% to 3.75% for 2015.
- ◆ Decreased the maximum current tax rate from 8.55% to 8/15%.
- ◆ Adjusted the maximum weekly benefit amount range from \$418-569 to \$426-580.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$11,537.50 to \$11,758.50 in the high quarter, and from \$23,075 to \$23,517 in the base period.
- ◆ **Dependents' Allowances:** (1) Increased the maximum weekly allowance per dependent from \$151 to \$154; (2) Increased the maximum weekly basic benefit from \$418 to \$426; (3) Increased the weekly maximum benefit allowance from \$151 to \$154, and; (4) Increased the maximum potential benefit amounts from \$ \$10,868 to \$11,076 without dependents, and from \$14,794 to \$15,080 with dependents.
- ◆ **Duration of Benefits:** (1) Increased the maximum potential benefit range from \$10,868-14,794 to \$11,076-15,080; (2) Increased the wage credits required for maximum potential benefits from \$11,537.50 to \$11,758.50 in the high quarter, and from \$23,073 to \$23,517 in the base period.

### **INDIANA**

– Amended Statute  
and Made  
Administrative  
Changes



#### **Legislation:**

■ **HB 1083** was signed by Indiana Governor Mike Pence on March 25, 2014. The bill provides that a legal entity whose ownership is limited to the parents of an employed child or persons standing in place of the parent of an employed child is not subject to certain provisions of the child labor law, specifically adding language concerning the public policy involved in the application and payment of unemployment benefits. Click [here](#) for a copy of HB 1083.

■ **HB 1346** was signed by Indiana Governor Mike Pence on March 24, 2014. The bill: (1) removes any burden of proof from the determination of eligibility for benefits; (2) repeals provisions concerning the process for determining a positive drug test for purposes of an individual's disqualification for benefits; (3) removes policy regarding an employer's filing of a notice in connection with an individual, group, or mass separation arising from a vacation period; (4) provides that the eligibility for benefits must be conditioned solely upon certain eligibility requirements in order for supplemental UI benefits to be

exempt from deductible income; (5) provides that holiday and vacation pay are deductible income for the week in which the holiday or vacation occurs; (6) redefines "employer" for purposes of participation in the UI system as an employing unit that: (a) has incurred liability for wages payable to one or more individuals, or (b) incurs liability for payment of wages of at least \$1 in any calendar quarter during the current or immediately preceding calendar year; (7) provides that a benefits overpayment includes any week for which the failure to disclose or falsification of a fact caused benefits to be paid improperly; (8) provides that, when an individual's most recent separation from employment is a disqualifying separation, the individual must earn remuneration from employment for eight weeks and the remuneration must equal or exceed eight times the weekly benefit amount before the individual again qualifies for benefits; (9) provides that a payment to a claimant from the employer that is conditional upon the signing of a release of employment related claims against the employer is severance pay and is deductible income; (10) increases from 15 to 30 days the time in which a party has to file an appeal of a review board's decision with the court of appeals; and (11) authorizes the use of money in the special employment and training services fund (fund) for the prevention, detection, and recovery of delinquent contributions and penalties and improper benefit payments. Click [here](#) for a copy of **HB 1346**.

■ **HR 72** was approved in the Indiana House on March 12, 2014. The resolution urges the legislative council to assign to the appropriate study committee the topic of job sharing working conditions and benefits, especially work sharing unemployment benefits. Click [here](#) for a copy of **HR 72**.

### Administrative Changes:

- ◆ Updated the definition of "employer" to mean either of the following, effective December 31, 2014: (1) an employing unit that has incurred liability for wages payable to one (1) or more individuals, or (2) an employing unit that in any calendar quarter during the current or preceding calendar year paid for service in employment wages of one dollar (\$1) or more, except as provided in section 2€, 2(h), and 2(i) of this chapter.
- ◆ Decreased the UI Surcharge Surtax rate from 7% to 2% of employers' contributions for the calendar year.
- ◆ Added a special disqualification provision as follows: An individual is not totally unemployed, part-totally unemployed, or partially unemployed for any week in which the department finds the individual: is on a vacation week; and has not received remuneration from the employer for that week, because of: a written contract between the employer and the employees; or the employer's regular vacation policy and practice. This applies only if the department finds that the individual has a reasonable assurance that the individual will have employment available with the employer after the vacation period ends.

### **IOWA**

– Amended Statute  
and Made  
Administrative  
Changes



### Legislation:

■ **HB 2199** was signed by Iowa Governor Terry Branstad on March 26, 2014. The bill amends the work sharing program by: (1) requiring the employer to provide an

estimate of the number of layoffs that would occur absent participation in the program; (2) eliminates the limitation to only full-time employees and makes all employees eligible for the program; (3) defines “fringe benefits” to include employer-provided health benefits and retirement benefits under a defined benefit plan or a defined contribution plan; (4) requires advance notice of the program to employees; (5) provides individuals shall be eligible if performing paid work for a number of hours equal to an not less than 20% and not more than 50% of the normal weekly hours; and (6) requires charging of shared benefits to the employer in the manner for charging of regular benefits. Click [here](#) for a copy of HB 2199.

#### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$26,800 to \$27,300.
- ◆ Decreased the maximum current tax rate from to 8.0% to 7.5%.
- ◆ Adjusted the minimum weekly benefit amount range \$60-73 to \$62-75.
- ◆ Adjusted the maximum weekly benefit amount range from \$408-501 to \$416-511.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$9,384 to \$9,709 in the high quarter, and from \$11,730 to \$12,136 in the base period.
- ◆ Disqualification for Voluntarily Leaving Work Without Good Cause / Disqualification for Misconduct Connected with Work and Gross Misconduct / Disqualification for Refusal of Suitable Work Without Good Cause - When it has been determined that an individual has been separated from employment under disqualifying

conditions as outlined in this section, the maximum benefit amount of the individual’s current claim, as initially determined, shall be reduced by an amount determined as follows: 1) For the first separation from employment under disqualifying conditions, the maximum benefit amount of the individual’s current claim is equal to the result of: (A) the maximum benefit amount of the individual’s current claim, as initially determined; multiplied by (B) seventy-five percent (75%); rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar. 2) For the second separation from employment under disqualifying conditions, the maximum benefit amount of the individual’s current claim is equal to the result of: (A) the maximum benefit amount of the individual’s current claim determined under subdivision (1); multiplied by (B) eighty-five percent (85%); rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar. 3) For the third and any subsequent separation from employment under disqualifying conditions, the maximum benefit amount of the individual’s current claim is equal to the result of: (A) the maximum benefit amount of the individual’s current claim determined under subdivision (2); multiplied by (B) ninety percent (90%); rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar; Column (4) - Regarding an individual’s most recent separation from employment before filing an initial or additional claim for benefits, an individual who voluntarily left the employment without good cause in connection with the work or was discharged from the employment for just cause is ineligible for waiting period or benefit rights for the week in which the disqualifying separation

occurred and until: 1) the individual has earned remuneration in employment in at least eight (8) weeks; and 2) the remuneration earned equals or exceeds the product of the weekly benefit amount multiplied by eight (8). If the qualification amount has not been earned at the expiration of an individual's benefit period, the unearned amount shall be carried forward to an extended benefit period or to the benefit period of a subsequent claim.

## KANSAS

– Amended Statute  
and Made  
Administrative  
Changes



### Legislation:

■ **HB 2576** was signed by Kansas Governor Sam Brownback on April 8, 2014. The bill amends the new employer rate provisions by making a new or expanding employer eligible for four years, if: (1) there has been a 100% increase in such employer's taxable payroll over the previous years, (2) there has been verification of a positive account balance in Kansas, and (3) such employer maintains a positive account balance throughout the four-year period. Click [here](#) for a copy of **HB 2576**.

■ **SB 371** was signed by Kansas Governor Sam Brownback on March 31, 2014. The bill amends employment security law regarding disposition of penalty funds and disclosure of confidential information. Click [here](#) for a copy of **SB 371**.

■ **SB 372** was signed by Kansas Governor Sam Brownback on April 11, 2014. The bill amends the work sharing program by: (1) requiring health and retirement benefits to

continue at the same level as employees not participating in the program; (2) permitting eligible employees to participate in employer sponsored training; (3) requiring the employer to provide advance notice where feasible to employees whose workweek will be reduced together with an estimate of the number of layoffs that would have occurred absent the ability to participate in a work-sharing program; and (4) enabling such benefits to be paid to a claimant even when the individual performs paid work in excess of the reduced hours established in the shared work plan. Click [here](#) for a copy of **SB 372**.

### Administrative Changes:

- ◆ Increased the taxable wage base from \$8,000 to \$12,000 for 2015 and to \$14,000 for 2016.
- ◆ Increased the new employer rate for construction from 4.0% to 6.0%.
- ◆ Decreased the minimum rate on the lowest and highest schedules from 0.11% to 0.07%.
- ◆ Decreased the surcharge amount range for negative balance employers with 2 or more years' experience from 0.30-4.00% to 0.10% to 2.00%.
- ◆ Increased the minimum weekly benefit amount from \$117 to \$118.
- ◆ Increased the maximum weekly benefit amount from \$469 to \$474.
- ◆ Increased the minimum wage credits required for maximum weekly benefit from \$11,036 to \$11,153 in the high quarter and from \$13,320 to \$14,220 in the base period.
- ◆ Increased the maximum potential benefit amount from \$12,194 to \$12,324.
- ◆ Duration of Benefits: Increased the

maximum potential benefit amount from \$12,194 to \$12,324; Increased the wage credits required for maximum potential benefits from \$10,236 to \$11,573 in the high quarter.

### KENTUCKY

– Made  
Administrative  
Changes



**Legislation:** None

#### Administrative Changes:

- ◆ Increased the taxable wage base from \$9,600 to \$9,900.
- ◆ Added retirement, sick or disability pay after 6 months, and casual labor paid in other than cash to the list of employer payments excluded from wages.
- ◆ Decreased the state surtax from 0.22% to 0.21%.
- ◆ Adjusted the qualifying formula for minimum benefits and duration to 1 ½ x HQ in BP, 8 x WBA in last two quarters of the BP, with \$750 outside HQ.
- ◆ Duration of Benefits: Defined the method of computing to “lesser of 1/3 BP or 26 x WBA”; Decreased the minimum weeks from 15 to 13; Increased the wage credits required for maximum potential benefits in the base period from \$32,370 to \$34,765.
- ◆ Changed the earnings disregard to 1/5.
- ◆ Set the penalty for fraud at 15% to reflect the Trade Act Conformity.
- ◆ Made updates to KRS 341.415

### LOUISIANA

– Amended Statute  
and Made  
Administrative  
Changes



#### Legislation:

■ **HB 315** was signed by Louisiana Governor Bobby Jindal on June 9, 2014. The bill completely repeals the state Shared Work UI Program. Click [here](#) for a copy of **HB 315**.

■ **HB 692** was signed by Louisiana Governor Bobby Jindal on June 2, 2014. The bill: (1) allows the administrator to compute the employer's rate of contribution on the basis of estimates rather than mandating such process; and (2) changes the time period for inactivity from three calendar years to four consecutive quarters for an employing unit that will cease to be an employer. Click [here](#) for a copy of **HB 692**.

■ **HB 698** was signed by Louisiana Governor Bobby Jindal on June 4, 2014. The bill deletes the ability to file quarterly reports by magnetic media and provides that contribution and wage reports be filed by any electronic means. Click [here](#) for a copy of **HB 698**.

■ **HB 880** was signed by Louisiana Governor Bobby Jindal on June 5, 2014. The bill: (1) deletes tax delay period stating the administrator of the Unemployment Compensation Program (Administrator), not later than Oct. 1 annually, shall render a statement to each employer of benefits paid to each individual and charged to his experience-rating record for the most recent 12-month period ending June 30; and (2) stipulates that no employer that was a party

to the separation or was issued a notice of chargeability pursuant to proposed law shall have standing to contest the quarterly charge statement. Click [here](#) for a copy of HB 880.

■ HB 984 was signed by Louisiana Governor Bobby Jindal on May 30, 2014. It is an omnibus law that removes obsolete language and dates from Title 23. Click [here](#) for a copy of HB 984.

■ HR 170 was enacted by signature of the Louisiana Speaker of the House, in accordance with the Rules of the House, on June 5, 2014. The resolution requests the Louisiana Workforce Commission, in consultation with the Department of Health and Hospitals, to develop a referral process for the rehabilitation of unemployment insurance applicants who were discharged from previous employment due to unlawful drug use. Click [here](#) for a copy of HR 170.

■ SB 372 was signed by Louisiana Governor Bobby Jindal on June 5, 2014. The bill: (1) provides that if, in response to the administrator's request, an employer refuses to allow an audit of its records; fails to make all necessary records available for audit or inspection; or in response to a fraud investigation, fails to provide a claimant's weekly wage information; the employer may be assessed an administrative penalty (i.e., a civil fine) of \$5,000; (2) provides that any notice requesting such information must clearly state that a penalty (i.e., civil fine) of \$5,000 may be assessed for the failure to provide the information; and (3) provides that any penalties so assessed and collected shall be credited to the penalty and interest account held by the unemployment administrator, but the administrator may refund the administrative penalty less all administrative costs associated with the audit request once an audit has been resolved. Click [here](#) for a copy of SB 372.

■ SB 377 was signed by Louisiana Governor Bobby Jindal on June 19, 2014. The bill relieves the administrator of any discretion and requires that payments to other state or federal funds will be considered in decisions regarding delinquent payments in accordance with other state or federal unemployment laws with what the administrator deems fair and reasonable. Click [here](#) for a copy of SB 377.

■ SB 594 was signed by Louisiana Governor Bobby Jindal on June 5, 2014. The bill: (1) Prohibits an employer benefit account being relieved from payment when the employer failed to timely respond to request for information; (2) provides that a response may not be considered inadequate if the agency failed to ask for all necessary information; (3) states that no contributing employer's reserve account or reimbursable employer's account shall be relieved of any charges for benefits relating to an improper benefit payment to a claimant established after October 21, 2013, if the improper benefit payment was made because the employer, or an agent of the employer, was at fault for failing to respond timely or adequately to the request of the administrator for information relating to a claim for benefits; and (4) defines employer's reserve account to be an employer's account which contains the amounts of money held in reserve to pay unemployment benefit claims to covered individuals who were employed by the employer. Click [here](#) for a copy of SB 594.

### Administrative Changes:

- ◆ Eliminated the state's short-time compensation for participants in worksharing plans.



**MAINE**

– Amended Statute  
and Made  
Administrative  
Changes

**Legislation:**

■ **LD 1668** was signed by Maine Governor Paul LePage on March 10, 2014. The bill expedites training waiver decisions for unemployment claimants by transferring original jurisdiction from the UI Commission to the Bureau of Unemployment Compensation. Click [here](#) for a copy of **LD 1668**.

■ **LD 1677** became law without the governor's signature on March 9, 2014. The law corrected outdated verbiage from 1996 so that the verbiage in statute is consistent with the current organizational structure and budget. Click [here](#) for a copy of **LD 1677**.

■ **LD 1701** was signed by Maine Governor Paul LePage on February 20, 2014. The bill amended Maine's work-sharing program to conform to the federal law. Click [here](#) for a copy of **LD 1701**.

■ **HB 1802** was signed by Maine Governor Paul LePage on April 3, 2014. The bill designates unused 2002 Reed Act funds and ARRA of 2009 funds to maintain and operate the states' UI and employment programs, including paying the administrative costs required to administer the UI program, delivering employment assistance services through the Department of Labor's career center system and providing labor market information services for Maine workers and employers. Click [here](#) for a copy of **HB 1802**.

**Administrative Changes:**

- ◆ Increased the minimum rate from 1.14% to 1.15% and the maximum rate from 9.91% to 9.98% in the highest schedule.
- ◆ Increased the current minimum tax from 0.73% to 0.74%.
- ◆ Increased the current maximum tax from 6.80% to 6.86%.
- ◆ Increased wages required for minimum benefits in the base period from \$4,371.78 to \$4,454.10.
- ◆ Increased wages required for minimum benefits in the high quarter from \$1,457.26 to \$1,484.70.
- ◆ Raised the minimum weekly benefit amount range from \$66-76 to \$67-77.
- ◆ Increased the minimum weekly benefit amount from \$66 to \$67.
- ◆ Increased the maximum weekly benefit amount range from \$378-567 to \$386-579.
- ◆ Increased the minimum wage credits required for maximum weekly benefits from \$8,316 to \$8,492 in the high quarter, and from \$28,140 to \$30,108 in the base period.
- ◆ Dependents' Allowances: Increased the minimum weekly basic benefit from \$66 to \$67; Increased the maximum weekly dependence benefit from \$378 to \$386; Increased the maximum dependence allowance from \$189 to \$193; Increased the maximum potential benefits without dependents from \$9,828 to \$10,036; Increased the maximum potential benefits with dependents from \$14,742 to \$15,054.
- ◆ Duration of Benefits: Increased the minimum weeks from 10 to 15; Increased the maximum potential benefit

amount range from \$9,828-14,742 to \$10,036-15,054; Increased the wage credits required for maximum potential benefits from \$8,316 to \$8,492 in the high quarter, and from \$29,484 to \$30,108 in the base period.

- ◆ Authorized short-term compensation for participants in worksharing plans as follows: Duration of Plan Before New Approval is Required – 12 full calendar months after approval; Limit on Number of Weeks – 52; Required Reduction of Work – At least 10% but not more than 50%; Computation of WBA – (WBA + Dependency) multiplied by the % reduction rounded down to the next lower dollar; Financing by Participating Employers – All worksharing benefits charged to worksharing employer regardless of base period charging rule.

### MARYLAND

– Amended Statute  
and Made  
Administrative  
Changes



#### Legislation:

■ **HB 1417** was signed by Maryland Governor Martin O'Malley on April 14, 2014. The bill alters certain provisions that apply to the work sharing UI program by: (1) clarifying the intent of the program; (2) requiring that a decision by the Secretary of Labor, Licensing, and Regulation to disapprove a work sharing plan shall identify the reasons for the disapproval; (3) altering the requirements for a work sharing plan; (4) prohibiting the Secretary from approving certain work sharing plans; (5) altering certain eligibility criteria for certain affected employees; (6) altering the computation of work sharing benefits; (7)

authorizing certain individuals to be paid certain UI benefits under certain circumstances; (8) providing that a decision of the Secretary to revoke approval of a work sharing plan is final and not subject to appeal; (9) altering the benefit charging provisions for employing units that participate in work sharing; and (10) providing that certain affected employees are eligible to receive certain extended benefits. Click [here](#) for a copy of **HB 1417**.

#### Administrative Changes:

- ◆ Added Sick or Disability Pay after 6 Months, and Tax Exempt Trust, Annuity Plans, etc. to employer payments most commonly excluded from wages.
- ◆ Increased the minimum current tax rate from 0.30% to 0.60%.
- ◆ Increased the maximum current tax rate from 7.50% to 9.00%.
- ◆ Changed the required reduction of work for worksharing plans to “Not less than 20%; not more than 50% (50% max may be waived by Secretary).
- ◆ Removed the special financing provision from the state’s worksharing plan.

### MASSACHUSETTS

– Amended Statute  
and Made  
Administrative  
Changes



#### Legislation:

■ **HB 4036** was signed by Massachusetts Governor Deval Patrick on April 14, 2014. The bill sets the experience rate for certain employers in Chapter 151A, Section 14, subsection (i), Column “E” of clause (1). Click [here](#) for a copy of **HB 4036**.

■ **SB 2195** was signed by Massachusetts Governor Deval Patrick on June 26, 2014. The bill increases the state minimum wage to \$11 per hour and makes several changes to the state unemployment compensation laws, including: (1) adding the average employer payroll for the previous 3 years (rather than 12 months) to determine an employer's taxable payroll; (2) increases the taxable wage base to \$15,000 beginning January 1, 2015; (3) amends the experience rate table; (4) authorizes the commissioner to participate in the treasury offset program; (5) permits UI qualification for crewmembers of a commercial fishing vessel if unable to work due to federal fisheries management restrictions; (6) provides UI benefits to claimants leaving part-time employment supplementing primary full-time employment; (7) amends the work sharing benefits provisions; and (8) requires the Department to conduct at least one public hearing each year to seek input from employers in the Commonwealth of Massachusetts. Click [here](#) for a copy of **SB 2195**.

#### **Administrative Changes:**

- ◆ Decreased the minimum current tax rate from 1.26% to 0.73%.
- ◆ Decreased the maximum current tax rate from 12.27% to 11.13%.
- ◆ Increased the maximum weekly benefit range from \$ 679-1,018 to \$698-1,047.
- ◆ Increased the minimum wage credits required for maximum weekly benefits from \$17,654 to \$18,148 in the high quarter and from \$35,308 to \$36,296 in the base period.
- ◆ Dependents' Allowances: Increased the maximum weekly basic benefit from \$679 to \$698; increased the maximum weekly benefit maximum allowance

from \$339 to \$349; increased the maximum potential benefits from \$20,370 to \$20,940 without dependents and from \$30,540 to \$31,410 with dependents.

- ◆ Duration of Benefits: Set the minimum number of weeks at 30; Increased the maximum potential benefit range from \$20,370-30,540 to \$20,940-31,410; Increased the wage credits required for maximum potential benefits from \$17,978 to \$18,148 in the high quarter and from \$70,616 to \$72,592 in the base period.

### **MICHIGAN**

– Amended Statute  
and Made  
Administrative  
Changes



#### **Legislation:**

■ **HB 4958** was approved by Michigan Governor Rick Snyder on June 24, 2014. The bill excludes from the definition of "employment" nonagricultural service performed by an individual who is an alien admitted to the United States to perform that service under an H-2B visa or a J-1 Exchange Visitor Program visa if certain conditions are met. Click [here](#) for a copy of **HB 4958**.

#### **Administrative Changes:**

- ◆ Increased the maximum current tax rate from 12.55% to 12.70%.
- ◆ Changed the qualifying formula for minimum benefits and minimum duration to "1 ½ x HQ wages with at least \$2,871; \$2,282 for BY starting 4/14/15; \$2,380 for BY starting 7/3/16; \$2,492 for BY starting 7/2/17; \$2,590



for BY starting 7/1/18 and thereafter.”

- ◆ Authorized disqualifications for employees of educational institutions, specifically for the period between academic years or terms for employers of third-party contractors providing workers to schools.
- ◆ Decreased the debt service to be paid in 2015 to \$450,000,000.
- ◆ Increased the range of per employee cost for 2015 to \$64.60 to \$228.00.

### MINNESOTA

– *Amended Statute and Made Administrative Changes*



#### Legislation:

■ **HB 2536** was signed by Minnesota Governor Mark Dayton on May 11, 2014. The bill adds sexual assault and stalking to the list of reasons that provide an exception to the denial of unemployment benefits to applicants that quit employment. Click [here](#) for a copy of **HB 2536**.

■ **HB 2949** was signed by Minnesota Governor Mark Dayton on May 16, 2014. The bill: (1) specifies that the definition of wages does not include income to a former employee resulting from the exercise of nonqualified stock options; (2) modifies statute to specify that for the purposes of transfer of the experience rating from a predecessor employer to a successor employer, concurrent ownership, management or control of the predecessor and successor is not required; (3) reduces interest rate assessed on unpaid unemployment insurance taxes from 18 percent to 12 percent; (4) clarifies that the

“last level of regular weekly pay” includes commissions, bonuses, and overtime pay if they are part of the applicant’s regular compensation; (5) exempts attorneys who are hired by an employer to represent them on an individual case from online filing requirement; (6) lowers the interest rate assessed against applicants on fraud overpayments from 18 percent to 12 percent; and (7) modifies and moves from rule to statute the employer payroll record retention requirements from 8 plus the current year to 4 plus the current year. Click [here](#) for a copy of **HB 2949**.

#### Administrative Changes:

- ◆ Increased the taxable wage base from \$29,000 to \$30,000.
- ◆ Decreased the new employer rate from 2.23% to 1.76%.
- ◆ Increased the minimum rate on the lowest schedule from 0.10% to 0.20%.
- ◆ Increased the maximum rate on the lowest schedule from 9.00% to 9.10%.
- ◆ Increased the maximum weekly benefit amount from \$629 to \$640.
- ◆ Increased the minimum wage credits required for maximum weekly benefits from \$65,416 to \$66,560 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$16,354 to \$16,640; increased the wage credits required for maximum potential benefits from \$65,416 to \$66,560 in the base period.

**MISSISSIPPI**

– Amended Statute  
and Made  
Administrative  
Changes

**Legislation:**

■ **HB 140** was signed by Mississippi Governor Phil Bryant on March 14, 2014. The bill states that UI benefits paid to an eligible individual shall not be charged against the experience rating of an employer, if the employee leaves the employ of an employer to accept other work. Click [here](#) for a copy of **HB 140**.

■ **SB 2958** was signed by Mississippi Governor Phil Bryant on April 21, 2014. The bill: (1) provides for a general experience rate for UI contributions of 0.2% to which will be added the employer's individual experience rate; and (2) states that an employer's total rate for UI contributions shall not exceed 5.4 percent. Click [here](#) for a copy of **SB 2958**.

**Administrative Changes:**

- ◆ Increased the new employer rate to 1.16% first year, 1.26% second year, 1.36% third year, then determined by experience.
- ◆ Decreased the current minimum tax from 0.35% to 0.20%.
- ◆ Increased the Workforce Investment and Training surtax to 0.16% of taxable wages.
- ◆ Work Search Verification & Penalties: Authorized that a claimant must make contact three times per week; Authorized electronic documentation of work search; Authorized verification of work search to be orally from contacts, written

from contacts or e-records from contacts: Authorized the penalty for failure to search for work to be denial of benefit weeks.

**MISSOURI**

– Amended Statute and  
Made  
Administrative  
Changes

**Legislation:**

■ **SB 510** was sent to the Secretary of State to be enacted on July 14, 2014. The bill: (1) redefines "misconduct" for which an employee may be disqualified from UI benefits; and (2) changes that standard to a knowing disregard of that interest and a knowing violation of the standards the employer expects. Click [here](#) for a copy of **SB 510**.

■ **SB 844** was signed by Missouri Governor Jay Nixon on July 1, 2014. The bill modifies the Shared Work Unemployment Compensation Program. Click [here](#) for a copy of **SB 844**.

**Administrative Changes:**

- ◆ Authorized Sick or Disability Pay after 6 Months to be excluded from employer payments.
- ◆ Authorized alternative financing of unemployment insurance with specific provisions.

**MONTANA**

–Made  
Administrative  
Changes



**Legislation:** None.

**Administrative Changes:**

- ◆ Increased the taxable wage base from \$29,000 to \$29,500.
- ◆ Authorized Sick or Disability Pay after 6 Months to the list of employer payments excluded wages.
- ◆ Increased the wages required for minimum benefits from \$2,540 to \$2,578 in the base period and from \$464 to \$471 in the high quarter.
- ◆ Increased the minimum weekly benefit amount from \$132 to \$134.
- ◆ Increased the weekly minimum benefit amount from \$132 to \$134.
- ◆ Increased the weekly maximum benefit amount from \$464 to \$471.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount in the base period to \$24,800 for 1.9% option and \$47,100 for 1.0% option.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$12,992 to \$13,188; Removed the requirement for wage credits required for maximum potential benefits in the high quarter and base period, as long as the ratio is 3.5 or higher.

**NEBRASKA**

– Amended Statute  
and Made  
Administrative  
Changes



**Legislation:**

■ **LB 961** was approved by Nebraska's governor on April 16, 2014. The bill provides for a fire fighting compact, changes in workers' compensation provisions, required coverage for volunteer firefighters, and changed provisions of the Nebraska Hospital-Medical Liability Act, the Nebraska Construction Prompt Pay Act, and the Employment Security Law. Click [here](#) for a copy of **LB 961**.

**Administrative Changes:**

- ◆ Decreased the new employer rate in 2015 to 1.25% for new non-construction employers, and defined new construction employers as those in category 20 of NAICS.
- ◆ Changed the qualifying formula for minimum benefits and minimum duration to \$4,094.89 in BP; \$1,850 in HQW and wages in at least one other quarter of \$800.
- ◆ Increased the base period wages required for minimum benefits from \$4,026 to \$4,094.89.
- ◆ Increased the maximum weekly benefit amount from \$362 to \$380.
- ◆ Increased the wage credits required for maximum potential benefits from \$9,672 to \$9,880 in the high quarter and from \$29,016 to \$29,640 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$9,672 to \$9,880; Increased the wage

credits required for maximum potential benefits from \$9,672 to \$9,880 in the high quarter and from \$29,016 to \$29,640 in the base period.

- ◆ [221 NAC 03](#) – Notice to Employer of Claim Filed and Request for Wage and Separation Information. Amended to allow employers to participate in SIDES. Approved by Governor on July 28, 2014.
- ◆ [223 NAC 01](#) – Rules for Administrative Hearings. Amended to change “administrative law judge” to “hearing officer” and to change the timeframe to file an appeal of a tax rate determination or determination of liability for combined tax or payments in lieu of contributions. Approved by Governor on July 28, 2014.
- ◆ [220 NAC 06](#) – Voluntary Transfer of Experience Account. Amended to clarify that the transfers in this chapter are voluntary transfers. Approved by Governor on December 22, 2014.
- ◆ [220 NAC 12](#) – Determination of Liability. Amended to include services performed by partners of a partnership in the exemption from liability for combined tax. Approved by Governor on December 22, 2014.

### NEVADA

- *Made Administrative Changes*



**Legislation:** None

**Administrative Changes:**

- ◆ Increased the taxable wage base from \$27,400 to \$27,800.

- ◆ Removed the state’s temporary special assessment.
- ◆ Increased the maximum weekly benefit amount from \$407 to \$412.
- ◆ Increased the minimum wage credits required for maximum weekly benefit from \$9,900 to \$10,300 in the high quarter and from \$14,850 to \$15,450 in the base period.
- ◆ **Duration of Benefits:** Increased the maximum potential benefit amount from \$10,582 to \$10,712; Increased the wage credits required for maximum potential benefits from \$10,000 to \$10,300 in the high quarter and from \$31,200 to \$32,136 in the base period.

### NEW HAMPSHIRE

- *No Changes*



**Legislation:** None.

**Administrative Changes:** None.

### NEW JERSEY

- *Amended Statute and Made Administrative Changes*



**Legislation:**

- **AB 3812** was signed by New Jersey Governor Chris Christie on January 17, 2014. The bill requires the Department of Labor and Workforce Development to arrange for the electronic receipt of death records and establish a verification system to

confirm that benefits paid pursuant to the temporary disability and unemployment compensation law are not being paid to deceased individuals. Click [here](#) for a copy of AB 3812.

**AB 4189** was signed by New Jersey Governor Chris Christie on January 17, 2014. The bill states: (1) that layoffs and work hour reductions no longer are required to be temporary for short-time benefits to be provided; (2) reduction of weekly work hours for a participating employee may not exceed 60%; (3) an employer's written plan must provide for written notification to employees of the program; (4) an employer's plan shall certify that the proposed plan complies with applicable federal and State laws; (5) that health, pension, and other benefits are required to be provided on the same terms and conditions as if the employees' work hours were not reduced, except that the dollar amount of an employer's contribution to a defined contribution pension plan may be reduced in proportion to the reduction in work hours, and benefits for program participants may be reduced if the benefits are reduced; and (6) that any short-time benefits paid to an individual shall be charged to the employer in the same manner as other unemployment benefits pursuant to the "unemployment compensation law." Click [here](#) for a copy of AB 4189.

■ **SB 3087** was signed by New Jersey Governor Chris Christie on January 17,

2014. The bill changes the manner in which unemployment insurance (UI) taxes are determined for an employee leasing company (ELC), by permitting an ELC to have the taxes determined on the basis of either the experience rating of the ELC or of the ELC's client companies. Click [here](#) for a copy of SB 3087.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$31,500 to \$32,000.
- ◆ Increased the wages required for minimum benefits from \$2,900 to \$3,300 in the base period.
- ◆ Increased the minimum weekly benefit amount from \$87 to \$99.
- ◆ Increased the maximum weekly benefit amount from \$636 to \$646.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$16,536 to \$16,796; Increased the base period wage credits required from \$27,560 to \$27,996.
- ◆ Emp 502.09; Penalty Weeks Under RSA 282-A:164 became effective on October 27, 2014.
- ◆ Emp 307; Employee Leasing became effective on June 30, 2014.
- ◆ Emp 403.06; Successive Benefit Year Earnings Requirement became effective on May 31, 2014.
- ◆ Emp 410; Criteria Relative to Earnings of Non-resident Alien F, J, M and Q Visa Holders.
- ◆ Emp 501; Work Registration became effective on June 30, 2014.
- ◆ Emp 503.02; Voluntary Leaving of Incidental Employment became effective on June 30, 2014.



**NEW MEXICO**

–Made Administrative  
Changes



**Legislation:** None.

**Administrative Changes:**

- ◆ Starting January 1, 2015, contributing new employers had a rate that is the greater of their industry average UI contribution rate or 1%.
- ◆ Increased the minimum rate on the lowest schedule from 0.05% to 0.33%.
- ◆ Decreased the minimum rate on the highest schedule from 2.70% to 0.33%.
- ◆ Adjusted the trust fund balance requirements for lowest and highest rate schedules.
- ◆ Adjusted the qualifying formula for minimum benefits and minimum duration to “Must have wages in 2 quarters of BP and meet minimum wage amount of \$1,871.03 in the high quarter.
- ◆ Increased the wages required for minimum benefits from \$1,798.14 to \$1,871.01 for both the base period and high quarter.
- ◆ Increased the minimum weekly benefit amount from \$74 to \$77.
- ◆ Increased the maximum weekly benefit amount from \$406 to \$412.
- ◆ Dependents’ Allowances: Increased the minimum weekly basic benefit from \$74 to \$77; Increased the maximum minimum weekly benefit allowance from \$37 to \$38; Increased the maximum weekly basic benefit from \$397 to \$412; Increased the maximum potential benefits from \$10,322 to

\$10,712 without dependents and from \$11,622 to \$12,012 with dependents.

**NEW YORK**

– No changes



**Legislation:** None

**Administrative Changes:** None

**NORTH CAROLINA**

– Amended Statute  
and Made  
Administrative  
Changes



**Legislation:**

■ **SB 42** was signed by North Carolina Governor Pat McCrory on August 25, 2014. The bill clarifies the confidentiality of unemployment compensation records. Click [here](#) for a copy of **SB 42**.

**Administrative Changes:**

- ◆ Increased the taxable wage base from \$21,400 to \$21,700.
- ◆ Decreased the current minimum tax rate from 0.075% to 0.072%.
- ◆ Set the wages required for minimum benefits in the high quarter at \$5,013.12.

**NORTH DAKOTA**

– Made  
Administrative  
Changes



**Legislation:** None

**Administrative Changes:**

- ◆ Increased the taxable wage base from \$33,600 to \$35,600.
- ◆ Decreased the new employer rate from 1.22% to 1.07%.
- ◆ Decreased the minimum current tax rate from 0.16% to 0.10%.
- ◆ Decreased the maximum current tax rate from 9.76% to 9.70%.
- ◆ Increased the maximum weekly benefit amount from \$570 to \$594.
- ◆ Increased the minimum wage credits required for maximum weekly potential benefit amount from \$14,820 to \$15,444 in the high quarter and from \$37,050 to \$38,610 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$14,820 to \$15,444; Increased the wage credits required for maximum potential benefits from \$14,820 to \$15,444 in the high quarter and from \$37,050 to \$38,610 in the base period.

**OHIO**

– Amended Statute  
and Made  
Administrative  
Changes

**Legislation:**

■ **HB 483** was enacted with line item vetoes by Ohio Governor John Kasich on June 16, 2014. The bill: (1) expands the current law list of the types of compensation that are not considered "remuneration" for purposes of Ohio's Unemployment Compensation Law, thus matching the federal exclusions; (2) allows the Director of Job and Family Services to waive the assigned delinquency rate if the failure to

timely furnish the required wage information was a result of circumstances beyond the control of the employer or the employer's agent; (3) requires penalties recovered for fraudulent payments and deposited into the Unemployment Compensation Fund under continuing law to be credited to the Mutualized Account within that Fund; (4) eliminates a \$500 forfeiture that currently is required to be assessed against any employer who fails to furnish information to the Director as required by the Unemployment Compensation Law; and (5) excludes unemployment repayments made pursuant to unclaimed fund recoveries, lottery award offsets, and state tax refund offsets, from the continuing law order by which the Director must credit employer accounts for amounts repaid. Click [here](#) for a copy of HB 483.

**Administrative Changes:**

- ◆ Decreased new construction employer rate from 7.2% to 6.5%.
- ◆ Increased the base period wages required for minimum benefits from \$4,660 to \$4,740.
- ◆ Increased the minimum weekly benefit amount from \$116.50 to \$118.50.
- ◆ Adjusted the maximum weekly benefit amount range from \$418-564 to \$424-572.
- ◆ Dependents' Allowances: Increased the range for weekly allowance per dependent from \$1-146 to \$1-148; Increased the limitation on weekly allowance from \$146 to \$148; Increased the minimum weekly basic benefit from \$115 to \$118; Increased the minimum weekly benefit maximum allowance from \$146 to \$148; Increased the maximum weekly basic benefit from \$413 to \$424; Decreased the maximum

weekly benefit maximum allowance from \$146 to \$140; Increased the maximum potential benefits without dependents from \$10,868 to \$11,024; Increased the maximum potential benefits with dependents from \$14,664 to \$14,872.

- ◆ Duration of Benefits: Adjusted the range of maximum potential benefit amount from \$10,868-14,664 to \$11,024-14,872; Increased the base period wage credits required from \$21,736 to \$22,048.
- ◆ Ohio Administrative Code Rule 4141-3-07 became effective January 1, 2014. The rule is mostly definitional in nature. Important highlights are that a Professional Employer Organization (PEO) is a co-employer of the employees of the PEO's client. These employees are known as shared employees. However, the PEO must file employee wage data and pay quarterly contributions under the client employer's account for all the employees shared between the PEO and the PEO's client. The rule clarifies Ohio Revised Code Section 4141.24. Specifically, refer to division (K) of the statute. The Governor signed Senate Bill 139 on December 20, 2012, which was the legislation amending the statute. The legislation became effective March 22, 2013. Click [here](#) for a copy of the rule.

### OKLAHOMA

– Amended Statute  
and Made  
Administrative  
Changes



#### Legislation:

- **HB 2914** was signed by Oklahoma Governor Mary Fallin on May 6, 2014. The

bill states that an individual who last worked for a temporary help firm is not considered to be unemployed until three days have passed since the date the individual's last assignment with the temporary help firm has ended. Click [here](#) for a copy of HB 2914.

#### Administrative Changes:

- ◆ Decreased the taxable wage base from \$18,700 to \$17,000.
- ◆ Decreased the taxable rate for new employers from 2.4% to 2.2%.
- ◆ Increased the limit on charges per employer when a claimant had more than one base period employer from \$34,320 to \$38,200.
- ◆ Adjusted the trust fund balance requirement for the highest schedule to "less than 2 x 5 years average benefits paid."
- ◆ Decreased the minimum rate on the highest schedule from 0.20% to 0.10%.
- ◆ Decreased the maximum rate on the highest schedule from 7.30% to 5.5%.
- ◆ Increased the maximum weekly benefit amount from \$440 to \$490.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$10,120 to \$11,270 in the high quarter.
- ◆ Decreased the minimum wage credits required for maximum weekly benefit amount from \$18,700 to \$16,905 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$9,400 to \$10,600; Decreased the wage credits required for maximum potential benefits from \$10,120 to \$9,377 in the high quarter; Increased the wage credits required for maximum potential benefits

and from \$18,700 to \$21,200 in the base period.

- ◆ Eliminated the state's worksharing plan.

## OREGON

– *Amended Statute and Made Administrative Changes*



### Legislation:

■ **HB 4010** was signed by Oregon Governor John Kitzhaber on March 6, 2014. The bill authorizes the Employment Department to make all decisions of the Employment Appeals Board available to the public. Click [here](#) for a copy of **HB 4010**.

### Administrative Changes:

- ◆ Increased the taxable wage base from \$35,000 to \$35,700.
- ◆ Decreased the current minimum tax rate from 1.80% to 1.50%.
- ◆ Increased the minimum weekly benefit amount from \$126 to \$128.
- ◆ Set the allowed number of weeks for minimum benefits at 3.
- ◆ Increased the maximum weekly benefit amount from \$538 to \$549.
- ◆ Duration of Benefits: Set the minimum number of weeks at 3; Increased the maximum potential benefit amount from \$13,988 to \$14,274; Increased the wage credits required for maximum potential benefits from \$43,040 to \$43,900 in the base period.
- ◆ Specified that all worksharing benefits are charged to an employer in the same manner as regular benefits or extended

benefits.

- ◆ The department updated oar 471-030-0036, its administrative rule on actively seeking work, requiring a minimum of 5 work seeking activities each week. The updates to the administrative rule were instituted February 23, 2014, and apply to continued claims filed on or after that date. Click [here](#) for a copy of the rule.

## PENNSYLVANIA

– *Made Administrative Changes*



### Legislation: None

### Administrative Changes:

- ◆ Increased the taxable wage base from \$8,750 to \$9,000.
- ◆ Specified that all worksharing benefits are charged to an employer in the same manner as regular benefits.
- ◆ Authorized a special benefit disqualification for students when the claimant is in TRA/TAA approved training.
- ◆ Authorized that a claimant is not disqualified if the spouse's decision to relocate was attributable to reasons beyond his/her control, such as insurmountable commuting distance to the new location.

## PUERTO RICO

– No Changes



**Legislation:** None

**Administrative Changes:** None

## RHODE ISLAND

– Amended Statute  
and Made  
Administrative  
Changes



### **Legislation:**

■ **HB 7133** (Article 11) was signed by Rhode Island Governor Lincoln D. Chafee on June 16, 2015. Article ended the Interest Assessment charge of 0.3% as of December 31, 2014 which reduces the Job Development Tax to 0.21%. It also allowed for advances from the general fund to pay UI benefits to avoid borrowing from the federal government to pay UI benefits. Click [here](#) for a copy of HB 7133 (Article 11).

■ **HB 8206** was signed by Rhode Island Governor Lincoln D. Chafee on July 1, 2014. The bill: (1) allows new employers to receive the new employer UI rate when taking over an existing business in insolvency proceedings if there is no common ownership, management or control of the two employers; and (2) permits existing employers to maintain their current tax rate when taking over an existing business in insolvency proceedings if there is no common ownership, management or control of the two employers. Click [here](#) for a copy of **HB 8206**. Click [here](#) for a copy of the companion bill, **SB 3117**.

■ **SB 2407** was signed by Rhode Island Governor Lincoln D. Chafee on June 23, 2014. The bill amends definitions of “credit amount” and “credit week” for calculating earned wages. Click [here](#) for a copy of **SB 2407**.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$20,600 to \$21,200.
- ◆ Decreased the new employer rate from 2.85% to 2.74%, not including 0.21% for the Job Development Fund.
- ◆ Authorized that an employer who employed a claimant less than 4 weeks at \$180 per week or employed a claimant part-time in the base period and continues to give substantially equal part-time employment will not be charged for benefits.
- ◆ Decreased the surtax amount from 0.51% to 0.21%.
- ◆ Increased the successive benefit year requirement from \$640 to \$720.
- ◆ Adjusted the qualifying formula for minimum benefits and minimum duration to “\$10,800 in BP or; \$1,600 in one BP quarter and, total BP wages of at least \$3,200.”
- ◆ Increased the wages required for minimum benefits from \$3,200 to \$3,600 and from \$1,600 to \$1,800 in the high quarter.
- ◆ Changed the minimum weekly benefit amount range from \$45-60 to \$46-61.
- ◆ Increased the allowed number of minimum benefit weeks from 16 to 17.
- ◆ Weekly Benefit Amounts: Changed the method of computing weekly benefits to “3.85% times average of 2 high quarters”; Adjusted the minimum

weekly benefit amount range to \$46-61; Increased the minimum wage credits required for maximum weekly benefit from \$13,638.44 to \$14,701.17 in the high quarter and from \$27,276.88 to \$29,402.34 in the base period.

- ◆ Increased the minimum weekly basic benefit for dependents from \$44 to \$46.
- ◆ Duration of Benefits: Increased the minimum weeks from 16 to 17; Increased the high quarter wage credits required for maximum benefits from \$13,638.44 to \$14,701.17 in the high quarter.

### ***SOUTH CAROLINA***

– Amended Statute  
and Made  
Administrative  
Changes



#### **Legislation:**

■ **SB 1099** was signed by South Carolina Governor Nikki Haley on June 6, 2014. The bill provides an exemption for motor carriers that utilize independent contractors from the definition of employment for unemployment benefit purposes. Click [here](#) for a copy of **SB 1099**.

■ **SB 1100** was signed by South Carolina Governor Nikki Haley on June 6, 2014. The bill: (1) provides that corporate officers are exempt from unemployment benefits unless the employer elects coverage; (2) prescribes the process of electing such coverage; and (3) stipulates federally required exemptions from the UI law for individuals employed by an Indian tribe and religious, charitable, educational, or other federally defined organizations. Click [here](#) for a copy of **SB 1100**.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$12,000 to \$14,000.
- ◆ Decreased the new employer tax rate from 1.196% to 1.55%. (Base rate 1.49% + administrative contingency assessment 0.06%).
- ◆ Decreased the minimum tax rate from 0.089% to 0.06% on the lowest and highest schedules.
- ◆ Decreased the maximum tax rate from 7.805% to 6.030% on the lowest and highest schedules.

### ***SOUTH DAKOTA***

– Amended Statute  
and Made  
Administrative  
Changes



#### **Legislation:**

■ **HB 1045** was signed by South Dakota Governor Dennis Daugaard on March 12, 2014. The bill retains the existing contribution rate table through December 31, 2014. Click [here](#) for a copy of **HB 1045**.

■ **HB 1143** was signed by South Dakota Governor Dennis Daugaard on March 26, 2014. The bill repeals provisions regarding UI benefit eligibility for workers attending approved training. Click [here](#) for a copy of **HB 1143**.

■ **SB 69** was signed by South Dakota Governor Dennis Daugaard on March 14, 2014. The bill states that good cause for voluntarily leaving employment is restricted to leaving employment if the employee is an officer who exercises substantial control in decisions to take or not to take action on behalf of a corporation and has no other

alternative than to leave employment with that corporation. Click [here](#) for a copy of SB 69.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$14,000 to \$15,000.
- ◆ Increased the maximum weekly benefit amount from \$345 to \$352.
- ◆ Increased the minimum wage credits required for maximum weekly benefits from \$8,970 to \$9,155 in the high quarter, and from \$15,870 to \$16,192 in the base period.
- ◆ **Duration of Benefits:** Increased the maximum potential benefit amount from \$8,970 to \$9,152; Increased the wage credits required for maximum potential benefits from \$8,970 to \$9,152 in the high quarter and from \$26,910 to \$27,456 in the base period.

### **TENNESSEE**

– Amended Statute  
and Made  
Administrative  
Changes



### **Legislation:**

■ **HB 1386** was signed by Tennessee Governor Bill Haslam on April 24, 2014. The bill modifies the experience rating for new manufacturing employers that are in operation at least 10 years prior to moving to Tennessee, to the premium rate that the manufacturing employer was assigned prior to relocating to the state. Click [here](#) for a copy of **HB 1386**.

### **Administrative Changes:**

- ◆ Authorized that new non-governmental employers are assigned a rate based on the reserve ratio of their industry grouping – 2.7% for employers in industries with a positive reserve ratio. Employers in industries with a negative reserve ratio are assigned the premium rate for their industry.
- ◆ Eliminated the state's additional surtax.

### **TEXAS**

– Made  
Administrative  
Changes



### **Legislation:** None

### **Administrative Changes:**

- ◆ Decreased the current minimum tax rate from 0.51% to 0.47%.
- ◆ Increased the current maximum tax rate from 7.41% to 7.49%.
- ◆ Increased the Obligation Assessment surtax maximum from 0.96% to 1.08%.
- ◆ Increased the base period wages required for minimum benefits from \$2,331 to \$2,368.
- ◆ Increased the minimum weekly benefit amount from \$63 to \$64.
- ◆ Increase the maximum weekly benefit amount from \$454 to \$465.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$11,350 to \$11,625 in the high quarter and from \$16,798 to \$17,205 in the base period.
- ◆ The Texas Workforce Commission amended its administrative rules ([40](#)

[TAC 815.1](#) and [815.10](#)) to define ‘adequate notice’ for purposes of [Section 208.004](#) of the Texas Unemployment Compensation Act. Those amendments, [as published in the Texas Register](#), pp. 15-17, were effective June 30, 2014.

## UTAH

– Amended Statute  
and Made  
Administrative  
Changes



### Legislation:

■ **HB 22** was signed by Utah Governor Gary Herbert on April 1, 2014. The bill removes a provision regarding the overlapping of base periods when determining when an employer is not responsible for certain benefit costs. Click [here](#) for a copy of **HB 22**.

### Administrative Changes:

- ◆ The taxable wage base increased from \$30,800 to \$31,300.
- ◆ Changed the new employer tax rate range from 1.4%-7.4% to 1.3%-7.3%.
- ◆ Decreased the minimum rate on the lowest schedule from 0.40% to 0.30%.
- ◆ Decreased the maximum rate on the lowest schedule from 7.40% to 7.30%.
- ◆ Decreased the minimum rate on the highest schedule from 1.40% to 1.30%.
- ◆ Decreased the maximum rate on the highest schedule from 7.40% to 7.30%.
- ◆ Decreased the current minimum tax rate from 0.40% to 0.30%.
- ◆ Decreased the current maximum tax rate from 7.40% to 7.30%.

- ◆ Increased the base period wages required for minimum benefits and minimum duration from \$3,300 to \$3,400.
- ◆ Increased the maximum weekly benefit amount from \$487 to \$496.
- ◆ Increased the minimum wage credits required for maximum weekly benefits from \$12,792 to \$13,026 in the high quarter, and from \$19,188 to \$19,539 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$12,662 to \$12,896; Increased the wage credits required for maximum benefits from \$12,792 to \$13,026 in the high quarter and from \$47,377 to \$48,244 in the base period.

## VERMONT

– Amended Statute  
and Made  
Administrative  
Changes



### Legislation:

■ **HB 646** was signed by Vermont Governor Peter Shumlin on June 5, 2014. The bill: (1) eliminates the smaller employer exemption (fewer than 25 employees) from filing reports electronically; (2) states that base period wages shall not include any wages paid by an employing unit based on a separation for gross misconduct; (3) creates a self-employment assistance program; (4) adds a qualification for employers to participate in the short-term compensation program stating the plan certifies that the employer has not laid off employees within three months from completion of a prior STC plan; and (5) charges STC benefits to the employer in the base period rather than

the STC employer's experience rating record. Click [here](#) for a copy of HB 646.

**HB 885**, the state's 2014 budget bill, requires employers to "adequately" comply with UI employment and separation reporting requirements, as well as clarifies that in instances of misrepresentation where an additional 15% penalty is assessed, the penalty shall be paid into the UI trust fund. Click [here](#) for a copy of HB 885.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$16,000 to \$16,400.
- ◆ Changed the qualifying formula for minimum benefits and duration to "\$2,351 in one quarter plus BP wages of at least 40% of HQW."
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$2,312 to \$2,351 in the high quarter and from \$19,125 to \$19,620 in the base period.
- ◆ Increased the minimum weekly benefit amount from \$71 to \$73.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$11,050 to \$11,336; Increased the wage credits required for maximum potential benefits from \$2,312 to \$2,351 in the high quarter and from \$19,125 to \$19,620 in the base period.
- ◆ Changed the definition of partial unemployment to "Week of less than full-time work if earnings are less than 2 x WBA."
- ◆ Changed the defined earnings disregard in computing weekly benefit for partial unemployment to "50% of earnings."

## **VIRGINIA**

*– Amended Statute  
and Made  
Administrative  
Changes*



### **Legislation:**

■ **HB 22** was signed by Virginia Governor Terry McAuliffe on March 7, 2014. The bill provides that an employer's payroll, for purposes of calculating its benefit ratio and state UI tax rate, will be deemed to be \$1 when the employer's taxable payroll for the applicable 12-month period is not more than \$1 eliminating the necessity of dividing the employer's benefit charges by a payroll amount of \$0, which produces an infinite benefit ratio and results in an assessment of state unemployment taxes at the highest rate. Click [here](#) for a copy of HB 22.

■ **HB 389** was signed by Virginia Governor Terry McAuliffe on March 7, 2014. The bill establishes a rebuttable presumption that an individual left work voluntarily for UI eligibility if the individual was a graduate student whose employment commenced and ended between spring and fall semesters of his academic program and he returned to his academic program following his separation from employment. Click [here](#) for a copy of HB 389.

■ **HB 971** Sharing of information of a member of the Virginia National Guard with the Virginia Employment Commission. Requires the Adjutant General of the Virginia National Guard to establish a program under which the Department of Military Affairs shall, upon request of a member of the Virginia National Guard, provide information on the member to the Virginia Employment Commission. This bill is identical to SB 399. Click [here](#) for a copy

of [HB 971](#).

■ **HB 1009** was signed by Virginia Governor Terry McAuliffe on May 23, 2014. The bill: (1) recasts the Virginia Workforce Council as the Virginia Board of Workforce Development; (2) authorizes the Governor to appoint a Chief Workforce Development Advisor, and related responsibilities of the Governor are assigned to the Chief Workforce Development Advisor, who shall serve as lead staff to the Board; (3) states that the Office of the Chancellor of the Virginia Community College System will provide staff support to accomplish the federally mandated requirements of the federal Workforce Investment Act; (4) requires staff support for the other duties and functions of the Board to be provided by personnel from the Offices of the Secretaries of Education and Commerce and Trade pursuant to a memorandum of agreement; (5) decreases the membership from 31 to 26 and authorizes the Governor to select his designee from among the cabinet-level officials appointed to the Board; (6) directs the establishment of an executive committee of the Board, which shall establish meeting agendas, approve reports to the Governor, and respond to certain urgent issues between scheduled Board meetings; (7) authorizes the Board to establish such other committees as it deems necessary, including (i) a committee to accomplish the federally mandated requirements of the WIA, (ii) an advanced technology committee, (iii) a performance and accountability committee, and (iv) a military transition assistance committee; and (8) repeals the Advantage Virginia Incentive Program, Fund, and Foundation. Click [here](#) for a copy of [HB 1009](#).

■ **SB 18** was signed by Virginia Governor Terry McAuliffe on March 31, 2014. The

bill provides that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany the employee's spouse, who is on active duty in the military or naval services of the United States, to a new military-related, permanent assignment from which the employee's place of employment is not reasonably accessible. Click [here](#) for a copy of [SB 18](#).

■ **SB 110** was signed by Virginia Governor Terry McAuliffe on May 23, 2014. The bill establishes a short-time compensation program that provides employers with the option of reducing the hours worked by employees, while permitting the employees whose hours are reduced to receive partial compensation for lost wages. Click [here](#) for a copy of [SB 110](#).

■ **SB 266** was signed by Virginia Governor Terry McAuliffe on March 31, 2014. The bill allows UI benefit recipients to extend their benefits through completion of a financial literacy course and volunteer service at a nonprofit organization. Click [here](#) for a copy of [SB 266](#).

#### **Administrative Changes:**

- ◆ Decreased the tax rate for new employers from 2.92% to 2.84%.
- ◆ Decreased the current minimum tax rate from 0.52% to 0.44%.
- ◆ Decreased the current maximum tax rate from 6.62% to 6.54%.
- ◆ Authorized a worksharing plan with specified provisions.



## VIRGIN ISLANDS

– *Made  
Administrative  
Changes*



**Legislation:** None.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$22,500 to \$22,900.
- ◆ Decreased the new employer rate from 3.0% to 2.0%.
- ◆ Increased the maximum weekly benefit amount from \$462 to \$477.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$11,934 to \$12,402 in the high quarter and from \$17,901 to \$18,603 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$11,934 to \$12,402; Increased the wage credits required for maximum potential benefits from \$11,934 to \$12,402 in the high quarter.
- ◆ Authorized changes to the state's work search requirements.

## WASHINGTON

– *Amended Statute  
and Made  
Administrative  
Changes*



**Legislation:**

■ **SB 5123** was signed by Washington Governor Jay Inslee on March 28, 2014. The bill expands an existing Farm Internship Program to additional counties, excluding

the interns from the definition of employee and from coverage for Unemployment Insurance. Click [here](#) for a copy of **SB 5123**.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$41,300 to \$42,100.
- ◆ Increased the minimum tax rate from 0% to 0.14%.
- ◆ Increased the maximum tax rate from 5.40% to 5.82%.
- ◆ Increased the minimum weekly benefit amount from \$148 to \$151.
- ◆ Increased the maximum weekly benefit amount from \$624 to \$637.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$16,224 to \$16,546 in the high quarter and from \$32,448 to \$33,092 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$16,224 to \$16,562; Increased the wage credits required for maximum potential benefits from \$16,224 to \$16,546 in the high quarter and from \$32,448 to \$33,092 in the base period.
- ◆ Specified that employers using worksharing are eligible for benefit charge relief for workshare weeks paid between July 1, 2012 and June 28, 2015 to the extent reimbursed by federal funds.

**WEST VIRGINIA**

– No Changes



**Legislation:** None

**Administrative Changes:** None

**WISCONSIN**

– Amended Statute  
and Made  
Administrative  
Changes

**Legislation:**

■ **AB 684** was signed by Wisconsin Governor Scott Walker on April 16, 2014. The bill: (1) requires the Department of Financial Institutions (DFI) to revoke or deny a registration to operate as a charitable organization, fund-raising counsel, professional fund-raiser, or professional employer organization if the Department of Workforce Development (DWD) certifies that the registrant is liable for delinquent UI contributions; and (2) requires the Office of the Commissioner of Insurance (OCI) to revoke or deny a navigator license or navigator entity registration (for assistance to individuals in obtaining appropriate health insurance coverage) if DWD certifies that the license or registration holder is liable for delinquent UI contributions. Click [here](#) for a copy of **AB 684**.

**Administrative Changes:**

- ◆ Increased the maximum rate on both the lowest and highest tax schedules from 8.50% to 10.70%.

- ◆ Increased the current maximum tax from 9.80% to 12.00%.
- ◆ Increased the maximum weekly benefit amount from \$363 to \$370.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$9,075 to \$9,250 in the high quarter and from \$12,705 to \$12,950 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$9,438 to \$9,620; increased the wage credits required for maximum potential benefits from \$9,075 to \$9,250 in the high quarter and from \$23,595 to \$23,680 in the base period.
- ◆ Authorized that the earnings disregard be “\$30 + WBA shall be reduced by 67% of remaining amount.”
- ◆ Changed the disqualification for voluntarily leaving work without good cause to “the duration of unemployment plus 6 x WBA.”
- ◆ Changed the disqualification for refusal of suitable work without good cause to “duration of unemployment plus 6 x WBA.”

**WYOMING**

– Amended Statute  
and Made  
Administrative  
Changes

**Legislation:**

■ **SB 74** was signed by Wyoming Governor Matt Mead on March 10, 2014. The bill provides an exception to the definition of employment for certain persons acting as fiduciaries. Click [here](#) for a copy of **SB 74**.

■ **SB 76** was signed by Wyoming Governor Matt Mead on March 10, 2014. The bill defines misconduct connected with work for purposes of disqualification from UI benefit entitlement. Click [here](#) for a copy of **SB 76**.

### **Administrative Changes:**

- ◆ Increased the taxable wage base from \$24,500 to \$24,700.
- ◆ Decreased the minimum rate from 0.48% to 0.27%.
- ◆ Changed the Solvency Adjustment Factor to 0.0001%.
- ◆ Decreased the Pool Costs Adjustment Factor from 0.198% to 0.168%.
- ◆ Decreased the Employment Support fund Assessment from 0.132% to 0.112%.
- ◆ Specified that, for qualifying requirements for minimum benefits and minimum duration, the claimant must earn wages equal to at least 8 x WBA for the new benefit year.
- ◆ Increased the maximum weekly benefit amount from \$471 to \$475.
- ◆ Increased the minimum wage credits required for maximum weekly benefit amount from \$11,775 to \$11,875 in the high quarter and from \$16,485 to \$16,625 in the base period.
- ◆ Duration of Benefits: Increased the maximum potential benefit amount from \$12,246 to \$12,350; increased the wage credits required for maximum potential benefits from \$11,775 to \$11,875 in the high quarter and from \$40,820 to \$41,167 in the base period.

*UWC wishes to acknowledge that many of the legislative summaries were derived or excerpted from analyses prepared by various state agencies or research bureaus and the U.S. Department of Labor.*

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