

House Bill 500 (AS PASSED HOUSE AND SENATE)

By: Representatives Pruett of the 144th, England of the 108th, Hembree of the 67th, Harden of the 28th, Carter of the 175th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial
2 relations, so as to change certain provisions relating to unemployment; to change provisions
3 relating to eligibility requirements for extended benefits so as to provide a state "on"
4 indicator for triggering an extended benefit period under certain circumstances during a
5 certain period of time; to change certain definitions; to provide for the administration of the
6 Georgia Work Ready program by the Governor's Office of Workforce Development; to
7 provide for support of the Georgia Work Ready program by the Department of Labor and the
8 Department of Economic Development; to provide for definitions; to provide for related
9 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
10 other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,
14 is amended by revising paragraphs (1) and (3) of subsection (a) of Code Section 34-8-197,
15 relating to eligibility requirements for extended benefits, as follows:

16 "(1) 'Eligibility period' of an individual means the period consisting of the weeks in his
17 or her benefit year which begin in an extended benefit period and, if his or her benefit
18 year ends within such extended benefit period, any weeks thereafter which begin in such
19 period; provided, however, that with respect to extended benefit periods established under
20 division (a)(3)(B)(i) of this Code section pertaining to Section 2005 of Public Law 111-5
21 and any extension thereof that does not impose any new condition upon receipt of ~~such~~
22 100 percent federal funding, or division (a)(3)(B)(ii) of this Code section pertaining to
23 Section 502 of Public Law 111-312, 'eligibility period' of an individual also means the
24 period consisting of the weeks during which such individual is eligible for Emergency
25 Unemployment Compensation provided for by the Supplemental Appropriations Act of
26 2008, Title IV Emergency Unemployment Compensation, Public Law 110-252, and the

27 Unemployment Compensation Extension Act of 2008, Public Law 110-449, and any
 28 extension or expansion thereof, when such weeks begin in that extended benefit period
 29 and, if his or her eligibility for such emergency unemployment compensation ends within
 30 such extended benefit period, any weeks thereafter which begin in such period, except
 31 as otherwise limited by the provisions in division ~~(a)(3)(B)(ii)~~(a)(3)(B)(iii) of this Code
 32 section."

33 "(3)(A) 'Extended benefit period' means a period which:

34 (i) Begins with the third week after a week for which there is a state 'on' indicator;
 35 and

36 (ii) Ends with either of the following weeks, whichever occurs later:

37 (I) The third week after the first week for which there is a state 'off' indicator; or

38 (II) The thirteenth consecutive week of such period.

39 However, no extended benefit period may begin by reason of a state 'on' indicator before
 40 the fourteenth week following the end of a prior extended benefit period which was in
 41 effect with respect to this state. There is a state 'on' indicator for a week if, for the period
 42 consisting of such week and the immediately preceding 12 weeks, the rate of insured
 43 unemployment under the state law for the period equaled or exceeded 120 percent of the
 44 average of such rates for the corresponding 13 week period ending in each of the
 45 preceding two calendar years and equaled or exceeded 5 percent.

46 (B)(i) With respect to weeks of unemployment beginning on or after February 1,
 47 2009, there is a state 'on' indicator for a week if:

48 (I) The average rate of total unemployment, seasonally adjusted, as determined by
 49 the United States secretary of labor, for the period consisting of the most recent
 50 three months for which data for all states are published before the close of such
 51 week equals or exceeds 6 1/2 percent; and

52 (II) The average rate of total unemployment in this state, seasonally adjusted, as
 53 determined by the United States secretary of labor, for the three-month period
 54 referred to in subdivision (I) of this subparagraph, equals or exceeds 110 percent of
 55 such average for either or both of the corresponding three-month periods ending in
 56 the two preceding calendar years.

57 (ii) In accordance with the provisions of Section 502(a) of the Tax Relief,
 58 Unemployment Insurance Reauthorization, and Job Creation Act of 2010, P.L.
 59 111-312, with respect to weeks of unemployment beginning on or after February 27,
 60 2011, and ending on December 31, 2011, there is a state 'on' indicator for a week if:

61 (I) The average rate of total unemployment, seasonally adjusted, as determined by
 62 the United States secretary of labor, for the period consisting of the most recent

63 three months for which data for all states are published before the close of such
 64 week equals or exceeds 6 1/2 percent; and

65 (II) The average rate of total unemployment in this state, seasonally adjusted, as
 66 determined by the United States secretary of labor, for the three-month period
 67 referred to in subdivision (I) of this subparagraph, equals or exceeds 110 percent of
 68 such average for any or all of the corresponding three-month periods ending in the
 69 three preceding calendar years.

70 ~~(ii)~~(iii) This subparagraph shall apply only through the week ending ~~three~~ four weeks
 71 prior to the last week for which 100 percent federal funding is authorized and
 72 provided pursuant to either Section 2005(a) of Public Law 111-5 or any extension
 73 thereof that does not impose any new condition upon receipt of such federal funding,
 74 without regard to the extension of federal sharing for certain claims as provided under
 75 Section 2005(c) of such law.

76 (C) There is a state 'off' indicator for a week if, for the period consisting of such week
 77 and the immediately preceding 12 weeks, none of the options specified in
 78 subparagraphs (A) and (B) of this paragraph result in an 'on' indicator."

79 SECTION 2.

80 Said title is further amended by revising subsections (m) and (n) of Code Section 34-8-197,
 81 relating to eligibility requirements for extended benefits, as follows:

82 "(m) For purposes of subsection (l) of this Code section, 'high-unemployment period'
 83 means a period during which an extended benefit period would be in effect if subdivision
 84 (a)(3)(B)(i)(I) or, if applicable, subdivision (a)(3)(B)(ii)(I) of this Code section were
 85 applied by substituting '8 percent' for '6 1/2 percent.'

86 (n) Subsections (l) and (m) of this Code section shall apply through the week ending ~~three~~
 87 four weeks prior to the last week for which 100 percent federal funding is authorized and
 88 provided pursuant to either Section 2005(a) of Public Law 111-5 or any extension thereof
 89 that does not impose any new condition upon receipt of such federal funding, without
 90 regard to the extension of federal sharing for certain claims as provided under Section
 91 2005(c) of such law."

92 SECTION 3.

93 Said title is further amended by revising Code Section 34-14-1, relating to definitions, as
 94 follows:

95 "34-14-1.

96 As used in this chapter, the term:

97 (1) 'Board' means the Georgia Workforce Investment Board.

- 98 (2) 'Director' means the executive director of the Governor's Office of Workforce
99 Development.
- 100 (3) 'Federal law' means the Workforce Investment Act of 1998, Public Law 105-220.
- 101 (4) 'Georgia Work Ready' or 'program' means the state's branded workforce development
102 enterprise administered and implemented by the Governor's Office of Workforce
103 Development that:
- 104 (A) Links links education and workforce development together and aligns to the
105 economic development needs at the local, regional, and state levels; and
- 106 (B) Provides a system of educational and workforce development tools, skills gap
107 training, job profiling, and skills assessments based on nationally recognized career and
108 workforce readiness evaluations and standards.
- 109 (5) 'Office' means the Governor's Office of Workforce Development."

110 SECTION 4.

111 Said title is further amended by adding a new Code section to read as follows:

112 "34-14-5.

113 (a) The Governor's Office of Workforce Development shall, with the approval of the
114 board, institute the Georgia Work Ready program. The implementation and operation of
115 the program shall be subject to available federal funding as provided for in Code Section
116 34-14-4. The program shall be made available to job seekers free of charge. As a part of
117 the program, the office shall implement and administer a work readiness computer training
118 course that will include an educational component for job seekers on accessing the
119 program, skills gap training, and how to complete an on-line job application. The
120 Technical College System of Georgia shall provide to the office such services and locations
121 needed by the office for delivery of the program to the public.

122 (b) Under the Georgia Work Ready program the office shall:

123 (1) Develop and make available information regarding the program's workforce
124 development tools and educational materials available to job seekers in Georgia. The
125 office shall also develop and make available information regarding the Georgia Work
126 Ready program related to educating potential employers about the benefits of hiring
127 individuals who have participated in the program or become work ready certified. The
128 information described in this paragraph shall be distributed to both the Department of
129 Labor and the Department of Economic Development; and

130 (2) Collect and disseminate data for purposes of evaluating the effectiveness of the
131 program. Beginning July 1, 2012, and annually thereafter, the Department of Labor shall
132 collect and provide to the office data regarding the employment status of persons who
133 have participated in the program. The Department of Labor shall provide such other

134 information that may be reasonably obtained that is determined by the office to be
135 necessary for the evaluation of the effectiveness of the program. The office shall
136 disseminate its evaluation of the program to the Department of Labor and the Department
137 of Economic Development annually beginning January 1, 2013. The office, departments,
138 and Technical College System of Georgia shall work cooperatively to provide support for
139 the office's annual report.

140 (c) Provided that the program is operational, the Department of Labor shall make the
141 information provided by the office pursuant to paragraph (1) of subsection (b) of this Code
142 section available to persons receiving unemployment benefits. The information shall be
143 made available electronically and through the department's career centers or at such other
144 locations reasonably likely to make such information available to the greatest number of
145 unemployed persons seeking jobs.

146 (d) Provided that the Georgia Work Ready program is operational, the Department of
147 Economic Development shall make the information provided by the office pursuant to
148 paragraph (1) of subsection (b) of this Code section available to businesses and industry.
149 Such information shall be made available electronically and by such other means as the
150 department shall determine reasonably likely to educate employers regarding the benefits
151 of hiring persons who have participated in or become certified under the program.

152 (f) The board is authorized to promulgate rules and regulations for purposes of
153 implementing the requirements of this Code section."

154 **SECTION 5.**

155 This Act shall become effective on July 1, 2011.

156 **SECTION 6.**

157 All laws and parts of laws in conflict with this Act are repealed.