

SUMMARY

MEASURE: SB 1531 (Subcommittee Proposed Committee Substitute 2)

AUTHOR: Representative Randy McDaniel and Senator Leftwich

SUBJECT: An act relating to labor; modifying various provisions relating to the Oklahoma Employment Security Act of 1980; providing an effective date.

PROVISIONS: Section 1. AMENDATORY E. 2. Adding deadline for when an Indian tribe shall notify the OESC of electing to make payments in lieu of contributions before the last day of January in the calendar year in which the tribe desires to being making payments. Adding that the OESC will determine if the tribe is eligible to exercise such an option.

Section 2. AMENDATORY 5. Adding reference to additional paragraphs under definition of “employer”.

Section 3. AMENDATORY 15. Adding that “employment” does not include:
(s) social services program, as certified and approved by DHS or the Center for Medicare and Medicaid Services (updating federal agency reference).

Section 4. AMENDATORY A. Adding that “file” means:
1. To hand-deliver to the central administrative office of the OESC;
2. Faxed to the telefax number indicated on the determination letter, order or other document issued by the OESC and as recorded by OESC fax equipment.
3. Mailed to the address indicated on the determination letter, order or other document issued by the OESC; or
4. Electronically transmitted to the OESC, as directed by the instructions on the determination letter, order or other document issued by the OESC.

Section 5. AMENDATORY Naming section, “Initial Claim – Additional Initial Claim – Reopened Claim – Continued Claim Series.”
C. Adding subsection that “reopened claim” means a claim application which reactivates a claim during an existing benefit year when a claimant stopped filing for benefits but before the claim was exhausted, but in which there occurred no intervening employment from the date of the last claim.
D. Adding subsection that “continued claim series” means an uninterrupted series of weekly claims filed by a claimant during the benefit year.

Section 6. AMENDATORY Naming section, “Benefits for Employees of Governmental or Nonprofit Employers.”
(6) Changing term of disqualification period to denial period.

Section 7. AMENDATORY A. Renumbering subsections.
Updating language.
B. Outlining when disqualification occurs, during adjudicating a separation from employment in an initial claim or additional initial claim. Updating language.
C. Establishing that disqualification shall be fore the week of leaving work voluntarily without good cause connected to the work.

Section 8. AMENDATORY Adding that after the OESC is notified of a claimant's separation from an employment obtained by a claimant during a continued claim series, the OESC shall give written notice of the claim to the last employer. Notices to employers during a continued claim series will be given to the last employer in the claim week without regard to how long claimant was employed.

Section 9. AMENDATORY (2) Changing time from within 60 days of the date of service of petition on the Board of Review, the Board shall certify and file with the court.

Section 10. AMENDATORY G. Updating filing time period for claims for exemptions to relate back no more than 30 days before the filing of the claim for exemption and shall extend no further than the expiration date or termination of the levy.

Section 11. AMENDATORY 3. Eliminating unemployment compensation as purpose for claims following post-accident drug or alcohol testing.

Section 12. AMENDATORY C. Adding how an employer shall deliver to employees or possible employees a copy of the drug or alcohol testing policy to include:
1. Hand-delivery of a paper copy of the policy or changes;
2. Mailing a paper copy; or
3. E-mailing a copy of the policy.

Section 13. NEW LAW Requiring the OESC to provide a method for employers to file the Contributions and Wage Report for state unemployment taxes over the Internet by December 31, 2008. By this date, the OESC shall provide a method for employers to pay state unemployment taxes over the Internet.

EFFECTIVE

DATE: November 1, 2008

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DATE: April 1, 2008