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March 25, 2024

AS AMENDED

ENGROSSED HOUSE

BILL NO. 3595

By: Hill of the House

and

Alvord of the Senate

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[ labor - seeking and accepting of work - online jobs
center - claims - effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 40 O.S. 2021, Section 2-417, is amended to read as follows:

Section 2-417.

SEEK AND ACCEPT WORK - WEEK OF OCCURRENCE DISQUALIFICATION.

A. An individual shall be disqualified to receive benefits for each week in which the individual shall have failed to do any of the following:

1. Diligently search for suitable employment at a pay rate generally available in that area of the state in keeping with his or her prior experience, education and training;

2. Make application for ~~work with employers who could~~
~~reasonably be expected to have work available~~ the minimum number of

1 weekly work search efforts as required by the Oklahoma Employment
2 Security Commission; or

3 3. Present oneself as an applicant for employment in a manner
4 designed to encourage favorable employment consideration.

5 B. The requirements of subsection A of this section shall be
6 waived if the individual has been summoned to appear for jury duty
7 before any court of the United States or of any state. The waiver
8 will continue for as long as the individual remains on jury duty
9 pursuant to the original summons.

10 SECTION 2. AMENDATORY 40 O.S. 2021, Section 2-418, is
11 amended to read as follows:

12 Section 2-418.

13 SEEK AND ACCEPT WORK - INDEFINITE DISQUALIFICATION.

14 A. An individual shall be disqualified to receive benefits for
15 the full period of unemployment next ensuing after the individual
16 shall have failed to do any of the following:

17 1. Accept an offer of suitable work, as defined by Sections 2-
18 408 and 2-409 of this title, from an employer including any former
19 employer;

20 2. Apply for or accept suitable work, as defined by Sections 2-
21 408 and 2-409 of this title, when so directed by the Oklahoma
22 Employment Security Commission; or

23 3. Accept employment pursuant to a hiring hall agreement when
24 so offered.

1 Such disqualification shall continue until the individual has become
2 reemployed and has earned wages equal to or in excess of ten times
3 his or her weekly benefit amount.

4 B. An employer who provides evidence of an offer of suitable
5 work pursuant to paragraph 1 of subsection A of this section shall
6 be proof of the failure of the individual to meet this requirement,
7 and shall result in the immediate cessation of benefits until a
8 determination can be made by the Commission. The Commission shall
9 conduct a timely investigation of any such claim and verify the
10 offer of suitable work.

11 C. Any individual who shall have failed in any of the
12 requirements of ~~subsection A of~~ this section due to illness, death
13 of a family member, or other extenuating circumstance beyond his or
14 her control shall be disqualified for regular benefits under this
15 section only for the week of the occurrence of such circumstance
16 beyond his or her control.

17 D. The Commission shall maintain or work with another public
18 entity to maintain access to a skills test and an online jobs system
19 that allows employers in this state to post job openings, to include
20 job description, necessary qualifications, expected hours of work,
21 and estimated compensation package for each job. The Commission
22 shall require each claimant for benefits to take a skills test and
23 create an account and resume in the online jobs system. An
24 individual shall be disqualified to receive benefits for the full

1 period of unemployment for failing to meet any skills requirements
2 set forth by the Commission.

3 E. An individual shall be disqualified to receive benefits for
4 the full period of unemployment next ensuing after the individual
5 shall have failed to do any of the following:

6 1. Diligently search for suitable employment at a pay rate
7 generally available in that area of the state in keeping with his or
8 her prior experience, education and training;

9 2. Make the minimum number of applications for work as required
10 by the Commission with employers who could reasonably be expected to
11 have work available; or

12 3. Present oneself as an applicant for employment in a manner
13 designed to encourage favorable employment consideration.

14 SECTION 3. AMENDATORY 40 O.S. 2021, Section 2-504, is
15 amended to read as follows:

16 Section 2-504.

17 A. DETERMINATIONS OF BENEFITS. A determination upon a claim
18 for benefits shall be made promptly by a representative of the
19 Oklahoma Employment Security Commission. It shall include a
20 statement as to whether, and in what amount claimant is entitled to
21 benefits for the week with respect to which the determination is
22 made. In the event the claimant is determined to be ineligible for
23 or disqualified from benefits under Part 2 or Part 4 of this
24 Article, the determination shall state the reasons therefor. The

1 initial determination in a benefit year shall include a statement as
2 to whether the claimant has been paid the wages required under this
3 act, and if so, the beginning and ending dates of the benefit year,
4 the weekly benefit amount, and the maximum total amount of benefits
5 payable to him or her with respect to such benefit year.

6 B. The Commission shall do the following to verify the
7 eligibility of an initial claim for benefits before paying benefits
8 to that claim:

9 1. Require the claimant to submit proof of identity prior to
10 his or her claim by using an identity verification source or service
11 offered by the Commission to verify the identity of all claimants;
12 and

13 2. To prevent and detect fraudulent activity, eligibility of
14 claims will be verified using a diverse set of data deemed
15 beneficial by the Commission, including but not limited to IP
16 addresses and various other demographic data.

17 C. The Commission shall investigate any information that may
18 indicate claimant ineligibility prior to paying benefits for the
19 week in which the information was identified and any subsequent
20 week. The Commission may cross-check all claims against any data
21 sets deemed beneficial by the Commission in order to verify
22 eligibility for benefits, including but not limited to:

23 1. The National Association of State Workforce Agencies'
24 Integrity Data Hub;

- 1 2. The United States Department of Health and Human Services
- 2 National Directory of New Hires;
- 3 3. The state directory of new hires;
- 4 4. Any inmate database maintained by the Oklahoma Department of
- 5 Corrections;
- 6 5. The Social Security Administration's Prisoner Update
- 7 Processing System;
- 8 6. The Centers for Disease Control and Prevention's National
- 9 Vital Statistics System's Death Record Database;
- 10 7. Death records maintained by the Oklahoma Department of
- 11 Health; and
- 12 8. The U.S. Citizenship and Immigration Services' Systematic
- 13 Alien Verification for Entitlements (SAVE) database.

14 SECTION 4. This act shall become effective November 1, 2024.

15 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
16 March 25, 2024 - DO PASS AS AMENDED