

Approved

Arthur Douville 3-30-88
Date

MINUTES OF THE House COMMITTEE ON Labor and Industry

The meeting was called to order by Representative Arthur Douville at
Chairperson

9:08 a.m./~~pm~~ on March 16, 1988 in room 526-S of the Capitol.

All members were present except:

Representatives Ed Bideau - Excused
R.D. Miller - Excused

Committee staff present:

Jerry Ann Donaldson, Kansas Department of Legislative Research
Juel Bennewitz, Secretary to the Committee

Conferees appearing before the committee:

Bill Clawson, Chief of Benefits, Department of Human Resources

re: S.B. 342

Mr. Clawson gave background on the bill stating it began in the senate during the 1987 session and it was preferred that it be part of an interim study concerning part-time employees. The subject arose as a result of complaints to senators regarding students who would work during the summer months and file unemployment insurance claims after returning to school in the fall. In some cases the students were found eligible. In the language of the senate committee, this has become known as "The Lifeguard Bill".

The bill denies an individual who is a registered student at an educational institution for the period of time they are a student and registered. It also includes the period of time between academic years and terms. The exclusion is - if the student worked full time while attending school (concurrently). The other exception would be - while the individual is in approved training. Mr. Clawson stated the phrase, "approved training" is used in several sections of the statute. Exclusions from disqualification must be made under certain requirements, such as the Federal Trade Act, extended benefits, etc. The new Kan-Work program would qualify under this category. It does not appear as though a great many people would be affected. Mr. Clawson stated that in a busy year, approximately three dozen people would qualify. Most individuals fall within the eligibility requirements under K.S.A. 44-705.

Representative Green asked if a student "laid out" of school for a period of time (1-1½ years, for example), worked a full time job during that time, was laid off and then returned to school - would he qualify for benefits. It was affirmed that he would.

Presently students cannot be disqualified during the summer months. This bill would address that period. Currently students can only be denied for the period of time they are attending school. The issue was addressed several years ago as it applied to mowing machine operators for the city or county. Those students who have part-time employment during the school year and then full time during the summer, may count the summer employment as part of their base period, giving them full entitlement for the period they are unemployed, specifically the following summer. This bill addresses such a situation as long as the individual retains his status as a student for the next successive year or term.

There is no specified number of hours necessary to be qualified as a student. Currently, the department would review the status of the student. Would his time be devoted to being a student or a worker? This would generally apply to those between academic terms such as Christmas vacation, spring break or the summer months. Usually a full time student is not available for full time employment. It was clarified this would be applied as to school bus drivers. The answer was, "Or to educational employees straight across the board".

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Labor and Industry,
room 526-S, Statehouse, at 9:08 a.m./~~p.m.~~ on March 16, 1988

Representative Webb used his own son as an example for the next question. He is a full time student taking all morning classes and working in the afternoons. He works 20 hours per week. Would he be eligible for benefits? The response was, not if he holds himself available only for part-time work. Being a full time student is a restriction causing him to be unavailable for full time employment.

Further clarification - if the person is engaged in full time employment while attending school, then he/she would qualify for benefits.

The meeting was adjourned at 9:22 a.m. The next meeting of the committee will be March 17, 1988, 9:00 a.m. in Room 526-S.

