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HOUSE BILL No. 2703

By Committee on Commerce, Labor and Economic Development

2-11

1 AN ACT concerning employment security law; relating to the employment
 2 security fund; employer contribution rates; revising the definition of
 3 employment for conformity with federal law; making changes to the
 4 my reemployment plan program including making the program
 5 mandatory; providing that the secretary of labor is to request that
 6 claimants create resumes in the Kansasworks system and that the
 7 secretary of commerce shall provide assistance to claimants through
 8 Kansasworks and may require claimants to participate in reemployment
 9 services; providing claimants with additional time to respond;
 10 providing the educational institution providing work skills training
 11 shall monitor compliance and report to the secretary of commerce and
 12 secretary of labor; amending K.S.A. 44-703, 44-710a and 44-775 and
 13 repealing the existing sections.
 14

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 44-703 is hereby amended to read as follows: 44-703. As used in this act, unless the context clearly requires otherwise:

(a) (1) "Annual payroll" means the total amount of wages paid or payable by an employer during the calendar year.

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last three calendar years immediately preceding the computation date as hereinafter defined if the employer has been continuously subject to contributions during those three calendar years and has paid some wages for employment during each of such years. In determining contribution rates for the calendar year, if an employer has not been continuously subject to contribution for the three calendar years immediately preceding the computation date but has paid wages subject to contributions during only the two calendar years immediately preceding the computation date, such employer's "average annual payroll" shall be the average of the payrolls for those two calendar years.

(3) "Total wages" means the total amount of wages paid or payable by an employer during the calendar year, including that part of remuneration in excess of the limitation prescribed as provided in subsection (o)(1).

(b) "Base period" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's

PROPOSED AMENDMENT
3/16/2022

Senate Committee on Commerce

Amending the exception from mandatory participation by claimants in the My Reemployment Plan by specifying certain categories of exempt claimants.

Prepared by Charles Reimer
Office of Revisor of Statutes

1 Sec. 3. K.S.A. 44-775 is hereby amended to read as follows: 44-775.
 2 (a) (1) The secretary of labor and the secretary of commerce shall jointly
 3 establish and implement the my reemployment plan as provided in this
 4 section. For purposes of this section, "my reemployment plan" means a
 5 program jointly established and implemented by the Kansas department of
 6 labor and the Kansas department of commerce that provides enhanced
 7 reemployment services, including workforce services provided by the
 8 department of commerce, to Kansans receiving unemployment insurance
 9 benefits. The program shall be available to required for all claimants
 10 except claimants in the shared work program or trade readjustment
 11 assistance program or claimants on temporary layoff with a return-to-work
 12 date that are exempt from the work search requirement and claimants no
 13 longer residing in Kansas. The program shall be implemented on or before
 14 June 1, 2021.

15 (2) The secretary of labor shall provide the secretary of commerce
 16 with the names and contact information of claimants that have claimed
 17 three consecutive weeks a third week of benefits in the current benefit year.
 18 The secretary of commerce labor shall request the claimant to upload or
 19 create a complete resume or work history, a skills list in the Kansasworks
 20 workforce system, and complete a job search plan from the claimants and
 21 that includes a skills assessment component. The secretary of commerce
 22 shall offer and provide, when requested, assistance to the claimants in
 23 developing the documents or plan through collaboration by the secretary
 24 with the Kansasworks Kansasworks workforce system. The secretary of
 25 commerce may require claimants to participate in reemployment services.
 26 The claimant shall have seven 14 calendar days to respond to the secretary
 27 of commerce. The secretary of commerce shall report any failure to
 28 respond by the claimant to the secretary of labor.

29 (3) The secretary of labor shall share labor market information and
 30 current available job positions with the secretary of commerce. The
 31 secretary of labor may collaborate with Kansasworks or other state or
 32 federal agencies with job availability information in obtaining or sharing
 33 such information.

34 (4) The secretary of commerce shall match open job positions with
 35 claimants based on skills, work history and job location that is a
 36 reasonable commute from the claimant's residence and communicate the
 37 match information to the claimant and to the employer. The secretary of
 38 labor and the secretary of commerce shall consider whether the claimant or
 39 a Kansas employer would benefit from the claimant's participation in a
 40 work skills training or retraining program as provided by subsection (b)
 41 and, if so, provide such information to the employer, if applicable, and the
 42 claimant. Claimants who fail to respond within two weeks 14 calendar
 43 days after contact by Kansasworks or the department of commerce shall be

in the shared work program, trade adjustment assistance and trade readjustment assistance program, claimants on temporary layoff with a return-to-work date, claimants that are currently employed or that no longer reside in Kansas, claimants that are current reemployment services and eligibility assessment participants, claimants that are members of a placement union or claimants that are engaged in a training program