Changes in unemployment insurance legislation during 1988

Two new U.S. laws allow access to wage and unemployment claims information; among States, only Missouri made extensive changes to its unemployment insurance law

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On October 13, the President signed into law the Family Support Act of 1988. The law amended the Social Security Act in such manner as to enable the Secretary of Health and Human Services to obtain prompt access to records of the State Employment Security Agencies on wage and unemployment claims information. Included in such information is intelligence that might be useful in locating noncustodial parents with child support obligations.

In a similar vein, the Stuart B. McKinney Homeless Assistance Amendments Act of 1988, signed into law on November 7, allows access, on a reimbursable basis, to the records of the State Employment Security Agencies concerning wage and unemployment claims information by the Department of Housing and Urban Development and by public housing authorities.

The Technical and Miscellaneous Revenue Act of 1988, signed into law on November 10, amends the definition of wages for employment tax purposes. The legislation also provides that income derived from fishing rights-related activity by individual members of an Indian tribe, or by a qualified Indian entity, is exempt from Federal and State tax, including income, Social Security, and unemployment compensation taxes.

In general, State legislatures took very little action this year, except for Missouri, where extensive changes were made. Seven States (Alabama, Arizona, Maryland, Mississippi, Missouri, Tennessee, and Virginia) increased the maximum weekly benefit amount. Three States (Alabama, Louisiana, and Rhode Island) changed their method of computing an individual's weekly benefit amount.

Kentucky, Maryland, and Missouri amended their laws so as to be able to join in interstate arrangements that permit one State to recover the unemployment insurance benefit overpayments made to a claimant by another State. The means of recovery will be to withhold a portion of the unemployment insurance benefits and return that portion to the State that made the overpayment. The arrangements were authorized by the Consolidated Omnibus Budget Reconciliation Act of 1985, effective April 7, 1986. Some State laws already permit the recovery of benefits in this manner.

During 1988, Alabama established a temporary program to provide the employment security services with special job search and placement assistance for unemployment compensation claimants who wish to obtain employment. This program will be in effect from Jan. 1, 1989, to Dec. 31, 1991. Also, Rhode Island established a reemployment assistance program that will be responsible for developing initiatives and programs to improve the skill levels and expand the work opportunities for all segments of the work force. Both of these programs are funded through a special tax on employers.

The Massachusetts Employment Security Law was amended to permit the Massachusetts Division of Employment Security to enter into an agreement with the Secretary of Labor to conduct a 3-year self-employment demonstration project. Under the project, the division will be permitted to pay self-employment allowances to eligible individuals from the unemployment compensation fund in lieu of regular or extended benefits.

Missouri, South Dakota, Washington, and Wyoming

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amended their laws so as to prohibit information obtained in the administration of the unemployment insurance law from being used as evidence in any proceeding between a person and the employer that is brought before an arbitrator, court, or judge of the State in question or of the United States.

Following is a summary of significant changes in State unemployment insurance laws during 1988.

Alabama

Financing. For the 3-year period from Jan. 1, 1989, through Dec. 31, 1991, contributing employers will pay a special tax assessment of 0.06 percent, to be used for a special claimant placement program. Excluded are those contributing employers whose rates are 5.4 percent or more and new employers.

Benefits. The following changes are effective Jan. 1, 1989: (1) The maximum weekly benefit increases from $120 to $145. (2) The weekly benefit will be $\frac{1}{24}$ of the average wages in the two highest quarters of the base period. (3) The qualifying wages will be not less than $774.02 in the base period and $1\frac{1}{2}$ times the high-quarter wage.

Alaska

Benefits. The ratio of base-period wages to high-quarter wages used for determining the minimum duration of 16 weeks of benefits was changed from 1.49 to 1.50.

Arizona

Benefits. The maximum weekly benefit amount was increased from $135 to $145, and on July 1, 1989, it will increase to $155.

Disqualification. The Arizona Department of Economic Security may charge and collect a fee of $25 from any individual who offers a bad check for payment on an amount due the department. However, the fee may be waived if the individual shows good cause for the nonpayment or the bad check.

California

Financing. The additional rate of tax on employers with a negative reserve account balance for benefits paid under work sharing has been repealed.

Disqualification. The law was amended to specify certain criteria to be used for verifying the eligibility for benefits of certain alien workers.

Colorado

Disqualification. An individual's weekly benefit amount will be reduced by the amount of any temporary disability compensation amount paid under any workers' compensation law, unless the temporary disability compensation amount has already been reduced by the weekly benefit amount. An individual is now eligible for benefits if he or she is separated due to the use of alcohol or a controlled substance on or off the job, if the individual (1) admits to an addiction to alcohol or the controlled substance; (2) substantiates the addiction by a licensed physician's statement; and (3) participates in an approved program of corrective action to deal with the addiction.

Connecticut

Benefits. The maximum weekly benefit amount may not increase by more than $18 in any benefit year. If an individual simultaneously holding a part-time and full-time job leaves the part-time job under conditions rendering him or her ineligible for benefits and subsequently is compensably separated from the full-time job, all wages paid to the individual during the base period, except those from the part-time job, will be included when calculating the individual's unemployment benefits. If separation occurs after compensable separation from the full-time job, the individual shall receive the lesser of the partial unemployment benefits based on any current part-time employment or the partial employment benefits due but for the separation from the part-time employment.

Delaware

Coverage. A new enactment excludes from coverage services performed by an individual as a direct seller as defined under Federal law.

Benefits. The law was amended to add seasonal employment provisions and requirements for the receipt of benefits. To qualify for benefits on the basis of seasonal employment, an individual must have earned more than 75 percent of the base-period wages in the operating period of the seasonal employment.

Disqualification. For the period July 1, 1988, through June 30, 1990, an individual will not be disqualified on the grounds of voluntarily leaving employment if the individual elected to be separated under a collective bargaining agreement or written employer plan for a temporary layoff for lack of work not to exceed 30 calendar days.

Florida

Disqualification. The amount of wages needed to purge the disqualification of an individual whose work was terminated for violation of a criminal law punishable by imprisonment or for a dishonest act in connection with the work was increased from 10 to 17 times the amount of the weekly benefit. An individual disqualified from regular benefits for the three major causes may not receive extended benefits, even after the disqualification period ends, unless such period terminated because the individual earned wages as an employee. Benefits shall not be payable during periods between terms and during vacation or holiday recesses with respect to services performed for an educational institution by any individual who is employed to perform such services for or on behalf of the institution.

Georgia

Disqualification. Employees of educational institutions operated by the Federal Government will be disqualified for benefits between academic years, terms, and holidays.

Penalties. An employer who deducts an amount from the wages of any individual in his or her employ to finance the employer's contributions or payments in lieu of contributions will be guilty of a misdemeanor if convicted. Also, if a false representation or failure to disclose a material fact is made more than once in a benefit year, or if benefits received exceed $4,000, the claimant, if convicted, will be guilty of a felony punishable by imprisonment up to 5 years.

Hawaii

Penalties. The penalty for falsely obtaining benefits was revised to be a misdemeanor if the value of the benefits or increase in benefits obtained is $300 or less (previously less than $200), and a Class C felony if the value exceeds $300 (previously $200 or more).

Illinois

Financing. The 1.0-percent contribution tax for local governmental entities which elected not to make payments in lieu of contributions was repealed.

Iowa

Financing. The period needed for an employer to qualify for experience rating was reduced from 5 to 3 years. The following provisions which applied to calendar year 1988 only were made permanent: (1) The reserve ratio tax formula was replaced with a benefit ratio tax formula. Under the benefit ratio formula, the years of benefits and the years of payrolls used in computing contribution rates for experience-rated employers will be the last 5 years. (2) The least favorable schedule of rates will range from 0.0 percent to 9.0 percent, and the most favorable schedule will range from 0.0 percent to 5.4 percent. (3) A new contributing employer who is not in the construction industry will pay contributions at a rate specified at the 12th benefit ratio rank (0.3 percent to 3.1 percent), but not less than 1.0 percent.

The following provisions were repealed: (1) the provision allowing an employer to avoid payment of contributions for a year if the employer's percentage of excess (total employer contributions divided by total benefits charged) is 7.5 percent or greater; and (2) provisions allowing such an employer to qualify for a reduced rate in the year after the one in which he or she paid no contributions because of a percentage of excess of 7.5 percent or more. Also repealed were provisions allowing an employer to make voluntary contributions in an amount sufficient to lower his or her rate to that for the next lower percentage-of-excess rank. Finally, the 1.0-percent surcharge payable by employers with a negative balance and employers involved in new construction was also repealed.

Disqualification. A person may not be held liable for slander or liable on account of a report or statement made to the Iowa Division of Job Services unless the report or statement was made with malice.

Kansas

Coverage. A new enactment excludes from coverage services performed by an individual as an oil-and-gas contract pumper.

Financing. Benefits paid to individuals who are unemployed because of an employer's participation in a work-sharing program will be charged to the employer's experience rating account. The work-sharing program may not apply to employers with a negative account balance. The provision disallowing charging of reimbursements to other States for the costs of benefits on combined wage claims was repealed.

Benefits. A temporary work-sharing program, under which individuals working shortened schedules to avert layoffs may collect benefits, was established effective Apr. 1, 1989, through Apr. 1, 1992.

Disqualification. An individual will be disqualified for benefits for any week in which the individual is registered at and attending an educational institution, or is on vacation during or between two successive academic years or terms. However, an individual will not be disqualified if he or she was engaged in full-time employment concurrently with school attendance or was attending approved training.

Kentucky

Financing. A new domestic or foreign proprietorship or partnership engaged in the contract construction trades will be required to pay the maximum rate in effect until the firm employs people in Kentucky for not less than 12 consecutive calendar quarters ending as of September 30 immediately preceding the computation date.

Benefits. The Kentucky Bureau of Employment Security may enter into or cooperate in arrangements with appropriate agencies of other States or the Federal Government under which Kentucky may deduct from unemployment benefits any overpayments made under any Federal unemployment insurance program and under the interstate program. The amounts so deducted will be paid to the jurisdictions under whose program the overpayment was made.

Disqualification. Overpayments made as a result of a reversal of entitlement to benefits in the appeal or review process will not be construed to be the result of departmental error.

Penalties. If benefits have been paid as a result of a false statement, misrepresentation, or concealment of material information by a recipient and have not been repaid by the individual within 1 calendar year from the date of the first notice, interest at the rate of 1.5 percent per month or fraction thereof will be added to the unpaid balance each successive month, provided that due notice has been given to the recipient. If the amount of benefits fraudulently received is to be deducted from future benefits, such deduction is limited to 25 percent of the benefit amount otherwise payable.

Louisiana

Financing. An employer's contribution rate will be reduced 10 percent when the balance in the fund exceeds $400 million. The contribution rate of an employer shall not be less than 1 percent for the first 3 years (previously 1 year) of experience. An employer's experience rating account will not be charged with benefits paid to a claimant who has requalified after a disqualification due to discharge because of the use of illegal drugs. The provision of the law which required new employers to execute and file a surety bond or to deposit money or securities with the Administrator of the Louisiana Department of Labor was repealed.

Benefits. The method for computing of an individual's weekly benefit amount was changed from $\frac{1}{20}$ of the high-quarter wages if less than $875 or $\frac{1}{25}$ of the average of the two high quarters if more than $875 to $\frac{1}{25}$ of the wages earned in the four quarters of the base period, rounded to the lower dollar. Beginning Jan. 2, 1989, an individual's weekly benefit amount is discounted 5 percent. As a result, the maximum weekly benefit amount is not more than $181 and the minimum benefit not less than $10.

Disqualification. The criterion for determining a disqualification on the grounds of voluntarily leaving employment was changed from good cause connected with the employment to good cause attributable to the employer. An individual's weekly benefit amount is reduced by 50 percent if the individual is disqualified on the basis of voluntarily leaving the job and engaging in misconduct connected with the work. If a base-period employer has provided severance pay which, when prorated weekly, equals or exceeds the claimant's weekly benefit amount, the claimant's benefit entitlement is reduced by 1 week for each week of severance pay, but not less than 1 week.

Administration. The number of members of the board of review has been increased from three to five. The State advisory council must include one member at least 60 years of age to serve as a representative of the elderly.

Penalties. If not waived, overpayments involving fraud cases may now either be deducted from benefits payable to the claimant or be repaid. The statute of limi-

tations for recovery of benefit overpayments will be 3 years from the date of the expiration of the benefit year.

Maine

Benefits. The earnings disregarded in computing the weekly benefit amount for partial unemployment have been changed from $10 to $25 per week.

Disqualification. A dislocated worker in approved training may not be denied benefits because of the training or because he or she had left work to enter training, provided that the work was not suitable employment. "Suitable employment" means work of a substantially equal or higher skill level than the previous employment.

Administration. The chairman of the Unemployment Insurance Commission must be an attorney. The name of the first-stage appeals body was changed from the appeal tribunal to the Division of Administrative Hearings.

Maryland

Coverage. Maryland provides for automatic exemption from coverage of aliens performing agricultural labor if the exemption exists under the Federal Unemployment Tax Act. Also, a new enactment excludes from coverage services performed by a full-time student in the employ of an organized camp and individuals on fishing boats, if certain conditions are met. Services performed by an individual under the age of 22 (previously 18) will be excluded from coverage if performed in the employ of the individual's father or mother.

Financing. An employer's experience rating account may not be charged with benefits paid to any employee discharged for gross misconduct. The amount of bond or other security required by nonprofit organizations electing to make payments in lieu of contributions will be 2.7 percent of taxable wages if the organization has 25 or fewer employees or 5.4 percent of taxable wages if the organization has more than 25 employees.

Benefits. The maximum weekly benefit amount was increased from $195 to $205. Also, the dependency allowance was increased from $6 to $8 per dependent up to four dependents. The Maryland Department of Economic and Employment Development may enter into or cooperate in arrangements with appropriate agencies of other States or the Federal Government under which Maryland may deduct from unemployment benefits any overpayments made under any Federal unemployment insurance program and under the interstate program. The amounts so deducted will be paid to the jurisdiction under whose program the overpayment was made.

Disqualification. An individual will be disqualified for any week in which he or she receives holiday or vacation pay if, on or before the date of the layoff or separation, the individual had been notified of a definite date for a return to work. However, an individual may not be disqualified if he or she receives holiday or vacation pay which is outside of the terms of an employment agreement which specifies scheduled vacation or holiday periods. The pension offset provision was amended to provide that, if an individual is receiving pension payments under the Social Security Act or railroad retirement program, then the individual's contribution to the pension will be taken into consideration and the weekly benefit amount will not be reduced. Also, lump-sum retirement benefits will not be deducted from an individual's unemployment benefits if the payments are made at the time of a layoff or shutdown.

Mississippi

Financing. A conversion contribution rate table was established in calendar year 1988. Under the new scheme, rates range from 0.1 percent for employers whose benefit ratios are under 0.5 percent to 5.4 percent for employers whose benefit ratios are 5.7 percent or more.

Benefits. The maximum weekly benefit amount was increased from $130 to $145.

Disqualification. An individual will be disqualified for any week in which he or she receives a back pay award. If an employer makes back payments to an individual who has received unemployment benefits during the same period covered by the back pay award, the employer will be required to withhold an amount equal to the unemployment benefits and to repay the amount to the trust fund.

Missouri

Coverage. Students 22 or younger no longer are covered for services performed in a work-study program. A new enactment also excludes from coverage services performed by a full-time student in the employ of an organized camp.

Financing. If the balance in the trust fund is more than $400 million, an employer's contribution rate shall be decreased by 12 percent (previously 10 percent). As a result, the maximum rate for the most favorable schedule will change from 5.4 percent to 5.3 percent.

Benefits. The law was amended to add an alternative qualifying requirement of wages in at least two quarters of the base period and total base period wages of at least $1\frac{1}{2}$ times the maximum Missouri taxable wage base for the year. The definition of partial unemployment was changed to a week of less than full-time work if earnings for that week do not equal or exceed the weekly benefit amount plus $20 (previously $10). Also, the amount of earnings disregarded in computing the weekly benefit amount for partial unemployment was increased from $10 to $20. Moreover, termination pay and severance pay are not considered wages in the computation of partial benefits. For purposes of the extended benefits program, the weekly benefit amount and the total benefit amount will be reduced as specified in the Balanced Budget and Emergency Deficit Control Act of 1985. Missouri may enter into reciprocal arrangements with appropriate agencies of other States or the Federal Government under which the Missouri Department of Labor and Industry may deduct from unemployment benefits any amount of overpayments made under any Federal unemployment insurance program and under the interstate program.

Beginning Jan. 1, 1989, the maximum weekly benefit amount rose from $140 to $150. Beginning Jan. 1, 1990, it will increase to $160, and beginning Jan. 1, 1991, it will increase to $170. Beginning Jan. 1, 1992, the maximum weekly benefit amount will increase to $180 if employer contribution rates are not subject to an increase due to a low fund balance. However, if the contributions that are due but unpaid on Nov. 1, 1991, do not exceed the contributions due but unpaid on Nov. 1, 1990, by more than 50 percent and employer rates are required to be increased by 20 percent or less, the maximum weekly benefit amount for 1992 will increase to only $175. If a 30-percent increase in rates is required, the maximum weekly benefit amount for 1992 will remain $170. If the calculated maximum weekly benefit amount reaches $180 in 1992 or any year thereafter, it will not be reduced or increased thereafter. However, if the calculated maximum is below $180 by Jan. 1, 1993, it will be subject to an increase or decrease depending on the percentage of any increase or decrease in tax rates. Beginning Jan. 1, 1991, the wages needed to qualify for benefits will increase to $1,000 in one quarter ($750

beginning 1990) and base period wages of $1\frac{1}{2}$ times the high quarter.

Disqualification. The amount of wages needed to purge a disqualification due to discharge for misconduct was decreased from 10 to 8 times the individual's weekly benefit amount. No individual may be considered unavailable for work solely because he or she is a substitute teacher or is on jury duty. Individuals temporarily laid off for no more than 8 weeks will be deemed available for work and actively seeking work if the employer notifies the agency that the layoff is temporary. However, the 8-week period may be extended, if requested by the employer, at the discretion of the Missouri Division of Employment Security. If an individual receives benefits at the time of a back pay award, the employer must withhold from the award the amount of benefits paid and remit that amount to the Missouri Division of Employment Security. The law was amended so as to exclude receipt of wages in lieu of notice or termination allowances as disqualifying income. Beginning Jan. 1, 1989, under specified conditions, an individual will not be disqualified for voluntarily leaving a job due to pregnancy.

Administration. The period for appealing an initial claim determination was increased to 15 days. The law was amended to prohibit information obtained in the administration of the unemployment insurance law to be used as evidence in court in a criminal prosecution at an appeal hearing, or for any criminal violation of the employment security law.

New Hampshire

Disqualification. To remain eligible for benefits while attending approved training, an individual must not fail to attend training without good cause.

New Mexico

Disqualification. A full-time student will be ineligible for benefits regardless of the daily period within which he or she attends classes.

New York

Benefits. The temporary shared work program was extended until Jan. 1, 1990.

North Carolina

Coverage. A new enactment excludes from coverage services performed by an inmate of the North Carolina prison system who is on work release.

Financing. A mandatory transfer of records is provided if an employer transfers all of his or her business. The account of the predecessor shall be transferred as of the date of acquisition of the business on the part of the successor for use in determining the employer's rate of contributions.

Ohio

Benefits. The Ohio Unemployment Compensation Act was amended to add an alternative base period of the four most recently completed calendar quarters for individuals who fail to meet the qualifying weeks and wage requirements using the first four of the last five quarters.

Oklahoma

Disqualification. An individual will be ineligible for extended benefits until the individual becomes reemployed and earns at least 10 times his or her weekly benefit amount if the individual was disqualified for regular benefits due to refusal to seek and accept suitable work during a week due to illness, death of a family member, or other extenuating circumstances beyond the individual's control.

Pennsylvania

Financing. For calendar year 1989, no surcharge or additional tax will be required from employers, employees will pay no contributions, and no reduction in benefits will be required. Beginning in 1990, a trigger percentage will be used to establish surcharge and contribution rates for employers and employees which will be based on the State's unemployment insurance trust fund balance as of July 1 each year compared to the previous 3-year average of benefit outlays.

Benefits. Beginning in 1990, the weekly benefit amount will be reduced by 5 percent or by the reduction determined by the trigger mechanism. However, no individual will have his or her weekly benefit amount reduced to less than half the maximum weekly benefit amount. The pension offset provision was amended to apply only to payments made under a plan maintained or contributed to by a chargeable or base period employer. The amount of the deduction was limited by taking into account employee contributions to the retirement plan. Also, no pension offset will be required if the services performed for the employer by the employee during the base period did not affect the employee's eligibility for, or increase the amount of, the pension. This exception will not apply, however, to payments made under the Social Security Act or the Railroad Retirement Act.

Administration. Interest assessed on fraudulently received benefits cannot be recouped by deduction from an individual's future benefits.

Rhode Island

Coverage. A new enactment excludes from coverage services performed by an individual on a fishing boat if certain conditions are met.

Financing. For tax years beginning in 1989, all contributing employers will pay a job development tax assessment equal to 0.1 percent of taxable wages, to be deposited into the Job Development Fund. The money in the fund will be used for (1) reimbursement of the Department of Employment Security for the loss of any Federal funds resulting from the collection and maintenance of the fund; (2) refunds of contributions erroneously collected and deposited in the fund; (3) payment of administrative expenses incurred with respect to the collection of job development taxes and other administrative expenses; and (4) job training, counseling, assessment services, and other related activities and services established by the Workforce 2000 Council.

Benefits. The amount of earnings disregarded in computing partial benefits was increased from a flat $5 to one-fifth of the individual's weekly benefit amount. An individual's base period will be the 52 weeks preceding the benefit year, excluding any weeks in which the claimant collected workers' compensation insurance benefits. The base period ends with the second week preceding the benefit year.

The following provisions will be effective Oct. 1, 1989: The base period will be the first four of the last five completed calendar quarters preceding the benefit year. The benefit year will be 53 weeks if the filing of a new valid claim results in an overlap of any quarter of the base period of a prior new claim previously filed by the individual. The qualifying wages will be 200 times the minimum hourly wage in quarter and base period wages of at least $1\frac{1}{2}$ times the high quarter; however, the total base period wages must be at least 400 times the minimum hourly wage. Also, the alternative qualifying wages will be three times the total minimum (400 times the minimum hourly wage) in the base period. An individual's weekly benefit amount will be 4.62 percent of the high-quarter wages in the base period.

The number of weeks an individual may receive benefits will be 36 percent of the total wages in the base period. To qualify for benefits in a second benefit year, an individual must have earned wages of four times the weekly benefit amount.

Penalties. Employers who fail to file a detailed quarterly wage report will be assessed a penalty of $25 for each refusal or failure to file. An additional penalty of $25 will be assessed for each month the report is delinquent, but the amount shall not exceed $150 for any one delinquent report.

South Dakota

Financing. The transfer of a predecessor's experience rating account is mandatory if the ownerships of both entities are substantially the same. If a successor employer does not assume the predecessor's experience rating account, the successor will be assigned the appropriate new employer rate. The contribution rate for the most favorable schedule will range from 0.0 percent to 8.0 percent. New employers will pay at a contribution rate of 2.75 percent for the first year and 1.75 percent if the employer has a positive account balance, until experience rated. Also, new employers in construction services will be assigned 7.5 percent for the first year and 4.5 percent thereafter if the employer has a negative account balance.

Benefits. Wages earned for a successive benefit year must be in insured work.

Administration. The law was amended to prohibit information obtained in the administration of the unemployment insurance law from being used in any proceeding between a person and the employer brought before an arbitrator, court, or judge of the State of South Dakota or the United States.

Tennessee

Benefits. The maximum weekly benefit amount was increased from $145 to $155.

Vermont

Benefits. The temporary short-time compensation program was made permanent. The pension offset provision was amended to specify that unemployment benefits will be offset by the pension only to the extent of the employer's contributions to the pension plan.

Virginia

Coverage. The law was amended to exclude from coverage services performed as a court reporter if remuneration is solely by way of commission.

Benefits. The maximum weekly benefit amount was increased from $167 to $176, with qualifying wages in the two highest quarters increasing from $8,400 to $8,800. The minimum weekly benefit amount was reduced from $58 to $56, and the amount of wages needed to qualify for the minimum was decreased from $2,900 to $2,800.

Disqualification. An individual will be eligible for 2 weeks of benefits if the employer terminated the employment immediately after being notified of the individual's resignation. However, to receive more than 2 weeks of benefits, the individual must have left the employment with good cause and must not have been discharged for misconduct.

Administration. An appeal for judicial review of an unemployment decision to the circuit court must be made in the county or city in which the claimant last worked.

Washington

Financing. An employer's experience rating account may not be charged for benefits paid as a result of a closure or curtailment of operations at work due to damage caused by a natural disaster.

Disqualification. For purposes of applying a disqualification on the basis of a labor dispute, a labor dispute was redefined from a stoppage of work to a strike. An individual will be subject to a labor dispute disqualification if the individual is unemployed due to a lockout by employers who are members of a multiemployer bargaining unit after one member of the unit has been struck by its employees as a result of the multiemployer bargaining process.

Administration. The law was amended to prohibit information obtained in the administration of the unemployment insurance law from being used in any proceeding between a person and the employer brought before an arbitrator, court, or judge of the State of Washington or the United States.

West Virginia

Coverage. Exclusion from coverage of aliens performing agricultural labor was extended to Jan. 2, 1993.

Financing. The law was amended to extend the 1-percent surtax on employers with a debit balance and foreign corporations from 3 to 4 years. No contributing base period employer's account is now charged for benefits paid to an individual employed by the employer on a part-time basis if the part-time employment continues while the individual is separated from other employment. West Virginia's share of extended benefits paid to an individual is now charged to the individual's base period employers.

Benefits. The law was amended to extend the freeze on the maximum weekly benefit amount until July 1989. For purposes of the extended benefit program, the weekly benefit amount and the total benefit amount will be reduced by the amount of any reduction mandated by the Balanced Budget and Emergency Deficit Control Act of 1985.

Disqualification. An individual will not be disqualified on the grounds of voluntarily leaving employment without good cause if the individual left due to health-related reasons and was medically advised and certified by a practitioner that continued employment would present a health hazard. The pension provision was amended to specify that an individual's weekly benefit amount may not be reduced to less than zero by the receipt of any type of retirement payment, including Social Security benefits.

Wisconsin

Disqualification. In a disqualification due to refusal of suitable work, an individual's benefits will not be reduced if the individual earned requalifying wages in covered employment. If it is discovered that a claimant receiving benefits for any week conceals wages earned in that week or any other material fact bearing on the claimant's eligibility, the claimant may be required to forfeit one to four times the benefits payable for the week.

Wyoming

Disqualification. Any individual who is disqualified from benefits for the following three major causes will be denied extended benefits until he or she requalifies. For disqualification on the basis of voluntarily leaving employment without good cause and of failure to apply for or accept suitable work, the requalifying requirement will be 12 weeks of employment and 12 times the weekly benefit amount: for disqualification on the grounds of discharge for misconduct, fraud, or receipt of disqualifying income, the requalifying requirement will be 4 weeks of employment and wages of four times the weekly benefit amount.

Administration. Any determination, finding of fact, decision, or final judgment not made or entered by the Wyoming Employment Security Commission is not binding upon the commission when administering the law, except when the commission was a party to an action or proceeding brought in a court of competent jurisdiction of the State of Wyoming. □

Second conference on business surveys held in Washington, DC

The second International Roundtable on Business Survey Frames, sponsored by the Bureau of Labor Statistics, U.S. Department of Labor, was held from August 31 to September 2, 1988, in Washington, DC. The purpose of this roundtable, as established by the organizers of the first one—Statistics Canada—was to bring directors of administrative data bases together to exchange ideas and information on the design and maintenance of business survey frames.

Delegates from Australia, Canada, France, Japan, the Netherlands, New Zealand, Sweden, the United Kingdom, the United States, and the United Nations participated in the roundtable. They discussed data harmonization, profiling techniques, quality control, and definitions and measurement of business births and deaths. All of the delegates in attendance have been involved in developing comprehensive establishment survey frames or have been concerned with augmenting the capabilities of their existing frames. Hosting the roundtable was especially timely for BLS as it has been involved in the redesign of its business frame.

Delegates to the roundtable contributed to the understanding of business survey frame issues on several fronts. In an effort to understand how businesses are defined within different administrative systems, delegates drafted a comparative matrix of statistical units that will benefit future discussions on statistical measurement by facilitating the understanding of how frames are constructed internationally.

Delegates also contributed to an expansion of the knowledge of business demography by comparing concepts of business formation and closure. The factors that countries include in these definitions dramatically influence the measurement of business development and the impact it has on economic growth and job generation.

The proceedings contain an edited record of presentations made and discussion generated during the 3-day meeting. There were 16 presentations on 7 topics and a general overview was given of each representative's data base. Papers from these sessions and the proceedings are available through the Bureau of Labor Statistics, Division of Occupational and Administrative Statistics, by contacting Brian MacDonald, Division Chief, 441 G Street, N.W, Room 2913, Washington, DC 20212.