

The Twenty-Fifth Legislature
Regular Session of 2010

THE SENATE

Committee on Ways and Means
Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice Chair

State Capitol, Conference Room 211
Tuesday, February 23, 2010; 10:10 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 2324, SD1
RELATING TO UNEMPLOYMENT INSURANCE BENEFITS**

The ILWU Local 142 supports S.B. 2324, SD1, which authorizes an individual that is attached to a regular employer who is not offering work to still receive unemployment insurance benefits under certain circumstances if the individual separates from an employer offering part-time employment.

When a worker who is "attached" to a regular employer but not offered work applies for unemployment insurance benefits, the claim is for "partial" unemployment and the claimant is exempt from registration for work and job search requirements. The employer must provide a "weekly report of low earnings" to verify the claimant's attached status with the employer. Furthermore, the claimant must be available for work offered by his regular employer but may voluntarily seek part-time or full-time work to supplement or supplant the unemployment benefit.

S.B. 2324, SD1 seeks to remedy what we believe to be an inequity in the current law. A claimant receiving partial unemployment benefits should not be disqualified due to separation from a part-time employer *regardless of the reason for the separation* because the claimant is exempt from job search requirements and obligated to be available for work offered by his regular employer.

While we appreciate the Senate Labor Committee's attempt to develop language that would satisfy opposing interests in this matter, we respectfully prefer the language in H.B. 2257, HD1 and recommend a SD2 amend S.B. 2324 to create a new subsection (b) under HRS 383-30 that reads:

"Effective July 1, 2010, notwithstanding any law or rule to the contrary, an individual shall not be disqualified for benefits for any week in which the individual separates involuntarily or voluntarily, with or without good cause, from an employer offering part-time employment, if the individual is: (1) Receiving benefits while attached to a regular employer that is not offering work...."

The new prohibition on disqualification would apply only to claimants for partial unemployment benefits who are attached to a regular employer, exempt from job search and registration for work requirements, available for work offered by the regular employer, and separated from a part-time employer for any reason.

The ILWU urges passage of S.B. 2324, SD1 with the amendments as offered. Thank you for the opportunity to share our testimony on this bill.