

2009 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2108

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2108

Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: January 12, 2009

Recorder Job Number: 6787

Committee Clerk Signature

*Eva Lubelt*

Minutes:

Chairman Klein: Calls IBL committee back to order, Bill # 2108.

Darren Brostrom, Job Service, in support of the bill. See attachment #1.

Senator Potter: Do you find there are still times a claimant has to show up?

Darren Brostrom: Yes, there are times, maybe for a workshop.

Senator Potter: But are there still claimants that are strictly going to the internet, you never see this person, they never had to get dressed up and show up, there in their pajamas at home filing for unemployment on the internet, is that right?

Darren Brostrom: That is correct.

Senator Wanzek: When most claims are filed you do contact the employer as well, do you not and seek information from them as well, which would provide somewhat of a safeguard?

Darren Brostrom: Yes, we do follow up with all the employers associated with that claimant. In addition we collect a lot of personal information from that claimant to identify that is in fact them etc. So there are safe guards in place to ensure that they are who they say they are.

Chairman Klein: Darren, how many offices or satellite offices to us have out there?

Darren Brostrom: I believe we have 14 offices.

Chairman Klein: So we have 14 offices spread throughout the state?

Darren Brostrom: That is correct.

Senator Nodland: You are taking out that they have to report to an office and giving them an option of completing it via internet or phone? And or assigned to an office?

Darren Brostrom: That is correct. We are not trying to limit them, by saying you can't go to a local office. What we want to ensure is that they have to comply with the assigned activities and one of those activities may in fact be go to a local office. So we don't want to lose that ability.

Senator Horne: It says complete all assigned services and report to the assigned local office, to me that means they must report to a local office, they don't have a choice.

Darren Brostrom: I think the last two words there are the key, as required.

Chairman Klein: Darren, currently this is more employee or claimant friendly than for you or does that also take the pressure of your staff having to meet face to face with the claimants?

Darren Brostrom: A benefit to both, we identified this when going through the statute as something someone challenges us they could say, everything I do has to be in a office.

We want to use multiple methods to serve customers.

Discussion of the importance of meeting with every claimant.

Chairman Klein: Anyone else in favor? Anyone here in opposition?

David L. Kemnitz, President of AFL-CIO: What are assigned service? There must be another word to describe what an individual can expect going into this.

Chairman Klein: Dave, what you are saying is there going to crank down and cause more people to not be eligible for the service? Chairman Klein explains further what the bill is stating.

(Continued discussion on the wording and the "word" assigned.

Maren Daley, Job Service: Recommendation of an amendment. Line 10, eliminate the word "at" and line 11 eliminate the word, "assigned local". Keep the words, complete all assigned services.

Senator Potter: Seems to be a phrase all assigned services is already covered by in accordance with what regulations the bureau may prescribe. So if there are additional requirements coming down the pike. You guys are going to have to create regulations to adhere to them anyway and we're going to have to approve them

Maren Daley: Those services are not required by regulation. (More explanation).

Senator Potter: You can't create additional requirements for someone or to collect unemployment that are neither in statute or regulation.

There was more discussion.

Chairman Klein: We are going to close the hearing on Senate Bill 2018 and adjourn for today.





**REPORT OF STANDING COMMITTEE**

**SB 2108, as amended, Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2108, as amended, was placed on the Sixth order on the calendar.

Page 1, line 10, overstrike "at,"

Page 1, line 11, replace the second "assigned" with "a"

Page 1, line 12, replace "offices" with "office"

Renumber accordingly

2009 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2108

## 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2108

House Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: March 4, 2009

Recorder Job Number: 10118

Committee Clerk Signature

*Ellen Kelang*

**Chairman Keiser:** Opened the hearing on SB relating to eligibility for unemployment compensation benefits.

**Darren Brostrom~Job Service North Dakota.** See testimony attachment.

**Representative Ruby:** What does the ICE stand for?

**Brostrom:** Internet Claim Entry.

**Chairman Keiser:** Last interim on the Worker's Compensation committee, we had a claimant that appeared before the committee who had thousands of job applications and couldn't find a job on the internet. This guy had a lot of time and he sat at home and sent his resume out and he never had one interview, follow-up, & no contacts, so how well is this system really working?

**Brostrom:** Are you referring to resumes on jobs.nd.com or via the internet?

**Chairman Keiser:** He was doing everything, I'm not sure. Representative Representative Amerman, can you recall?

**Representative Amerman:** No.

**Chairman Keiser:** The point being that this guy quite candidly, needed assistance in presenting himself but his argument was "I'm doing everything electronically that you're asking for".

**Brostrom:** We don't stop anyone from coming in for assistance.

**Chairman Keiser:** The current law required them to come in.

**Brostrom:** The current law requires them to come in. I would say that your example is probably an extreme one. For the most part we had very good response and results from using the internet. In fact the employers are requiring that you submit your resumes electronically. It's becoming the preferred method in many cases.

**Representative Ruby:** Under that situation isn't there a benchmark to where you see somebody is doing the electronic thing and apparently in the position they are looking for, the employer wants to see who they are and they are not making the effort to get out. Is there any benchmark that somebody over a certain amount of time, who isn't successful, is flagged by your agency and could approach them and say that you need to get out.

**Brostrom:** I should point out that this is addressing unemployment insurance claimants. It's not requiring them to complete every activity on line. As far as the benchmark, I guess I would need to have our workforce folks come in and talk about the benchmark. What I can say to maybe address that situation, when we do deal unemployment claimants there are activities that we still require them to come into the office for. We want to work with them on interview skill workshop with them and then we can identify and help them with barriers that they may have and address those.

**Chairman Keiser:** To follow up on this kind of line, I agree with you. I suspect that 99.5% of all people who lose their jobs are very interested in finding a new job. This does provide an opportunity with the passage of this, that can meet every requirement sitting at home not really looking for a job, but I met the requirement you have for job search.

**Brostrom:** Our intent for this bill is to give us the flexibility to have various service delivered methods. I think we still as an agency, have the responsibility and requirement to identify

those situations and address. Through our policies, we will address those. This doesn't force us not to call but the ability to do that and I think knowing the staff we have, the process in place and our desired to get them back to work quickly, we won't run into that situation.

**Chairman Keiser:** Anyone here in opposition in SB 2108, neutral? Closes the hearing and what are the wishes of the committee?

**Representative Ruby:** Moves a Do Pass on SB 2108

**Representative N Johnson:** Second.

**Chairman Keiser:** Further discussion?

**Voting roll call was taken on SB 2108 for a Do Pass with 12 ayes, 0 nays, 1 absent and Representative Ruby is the carrier.**

Date: Mar 4 - 2009

Roll Call Vote # 1

**2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES**

**BILL/RESOLUTION NO. 2108**

House House, Business & Labor Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken  Do Pass  Do Not Pass  As Amended

Motion Made By Ruby Seconded By <sup>N</sup>Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	1		Representative Amerman	1	
Vice Chairman Kasper			Representative Boe	1	
Representative Clark	1		Representative Gruchalla	1	
Representative N Johnson	1		Representative Schneider	1	
Representative Nottestad	1		Representative Thorpe	1	
Representative Ruby	1				
Representative Sukut	1				
Representative Vigesaa	1				

Total (Yes) ~~8~~ 12 No 0

Absent 1

Floor Assignment Ruby

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

SB 2108, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2108 was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

SB 2108

Senate Bill 2108  
Testimony of Darren Brostrom  
Job Service North Dakota  
Before the  
Senate Committee On  
Industry, Business and Labor  
Senator Jerry Klein, Chairman  
January 12, 2009

*Same given  
to House  
3-4-09.*

Mr. Chairman and members of the committee, I am Darren Brostrom, the Unemployment Insurance Director for Job Service North Dakota. I am here today in support of Senate Bill 2108.

Senate Bill 2108 proposes to amend the wording of North Dakota Century Code, chapter 52-06-01, to reflect the current service delivery methods used by Job Service North Dakota, and to ensure that flexibility exists in statute to adjust for potential future methods of service delivery.

When the current statute was originally written, all unemployment insurance claimants were required to report to their nearest Job Service customer service office to file their claim for unemployment insurance and to complete any other required activities related to the program. The rural nature of North Dakota required a number of claimants to commute long distances and wait in line in order to receive unemployment insurance related services.

With the technological advancements that have come about in the last 10 to 15 years, Job Service is able to provide many services remotely, creating more convenient service delivery methods.

In our current environment, Job Service now provides services to claimants in a variety of methods. We offer many services in our local offices as we have in the past, but have added an automated telephone system and various internet applications as well. These options allow Job Service to provide services to individuals without requiring them to travel to a customer service office. An example of a significant enhancement is all of the activities that individuals can now participate in via our internet application, *UI ICE*.

The following services are now available to claimants via *UI ICE* and at Jobsnd.com:

- Filing a claim;
- Completing weekly certifications for benefits;
- Viewing claim status, payments, and wage history;
- Filing appeals;
- Selecting alternative payment options;
- Registering for and seeking employment;
- Posting Resumes;
- Gathering labor market information;
- Completing required eligibility reviews; and
- Performing required reemployment activities

Claimants are able to log on to the *UI ICE* system from any computer that has access to the internet, including those found in homes, libraries and schools throughout the state. Additionally, claimants may still visit or call their nearest Job Service customer service office to receive assistance.

In summary, passage of this bill would align statute with current service delivery methods. In addition, the verbiage used within Senate Bill 2108 eliminates constraints and limitations as to service delivery methods that may exist in the future. It was not long ago that the internet was thought to be a tool used only by scientists and educators, now it is a common tool used for communication and commerce. We do not know what the future may hold, and we would like to ensure that when new, convenient service delivery methods are developed, that we don't limit our ability to improve upon our service delivery to the citizens of North Dakota.

Mr. Chairman, this concludes my testimony. At this time, I would be happy to answer questions from the committee.