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HOUSE JOINT RESOLUTION NO. 232

Offered January 22, 1996

Requesting the Virginia Employment Commission to examine the application of the unemployment compensation laws of this Commonwealth to the in-state employment of Virginia citizens by out-of-state employers.

Patron—Behm_____
Referred to Committee on Rules

WHEREAS, the unemployment compensation program is a critical safety net for the Commonwealth's workforce; and

WHEREAS, such program is intended to furnish a temporary source of income to those individuals who become unemployed through no fault of their own; and

WHEREAS, in some cases where citizens of Virginia perform services within the Commonwealth for out-of-state employers, such employment may be subject to the laws of another state; and

WHEREAS, some Virginia citizens in such circumstances have been denied unemployment compensation benefits because of the application of such other states' laws, but would have been granted benefits if the laws of the Commonwealth had been applied; and

WHEREAS, in at least one case the laws of another state were applied to a Virginia citizen's unemployment compensation claim when such individual's wages were earned in Virginia on federal military installations, resulting in a loss of benefits; and

WHEREAS, whether such employments are subject to Virginia law governing employer liability for Virginia unemployment compensation taxes and the payment of benefits or subject to the laws of another state is critical to individuals in such circumstances; and

WHEREAS, the citizens of the Commonwealth would benefit from a clarification of such laws; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Employment Commission shall conduct a study of the application of the unemployment compensation laws of this Commonwealth to the in-state employment of Virginia citizens by out-of-state employers. The Commission shall make recommendations concerning whether modifications should be made to Virginia's unemployment compensation laws to ensure that Virginia citizens working for out-of-state employers are not unreasonably denied unemployment compensation benefits.

The Virginia Employment Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1997 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

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