

BILL ANALYSIS

H.B. 1050
By: Woolley
Economic & Small Business Development
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under the Texas Unemployment Compensation Act, an individual who is discharged from employment for misconduct or who leaves voluntarily without good cause can avoid disqualification from unemployment insurance benefits by accepting a brief temporary job and then being laid off from that temporary job, regardless of the nature of the claimant's previous employment or the temporary work. In such cases, the entire liability is absorbed by the claimant's base period employers or by the unemployment compensation fund.

H.B. 1050 limits a claimant's ability to avoid disqualification from unemployment insurance benefits when the claimant's last employment was of short duration for a temporary job or was for an employer not covered by the Texas Unemployment Compensation Act. The bill addresses the anomaly in the law that tends to circumvent the intent of workforce attachment provisions of the unemployment insurance program.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1050 amends the Labor Code to specify that, when used in connection with an initial claim for unemployment compensation benefits, the terms "last work" and "person for whom the claimant last worked" refer to the last person for whom the claimant actually worked, if the claimant worked for that person for at least 30 hours during a week, or the employer, as defined by the unemployment laws of Texas or any other state, for whom the claimant last worked.

EFFECTIVE DATE

September 1, 2011.