

## MODEL UNEMPLOYMENT INSURANCE STATE WORK SEARCH LEGISLATION

### Proposed Statutory Language

#### **Section 100. Requirement to be actively seeking work.**

As a condition of eligibility for unemployment compensation in any week, a claimant must be able to work, available to work, and actively seeking work, unless exempted under [reference state and federal law for work search exemptions].

#### **Section 101. Definition of actively seeking work.**

A claimant must meet the following requirements to be actively seeking work:

1. A claimant who receives referrals from [the department] to a job or jobs considered to be suitable, as otherwise defined in state law, must apply for such job(s) within one week of receiving the referral and accept employment in suitable work if offered;
2. The claimant has performed at least the required number of acceptable work search activities in the week for which benefits are claimed as established in state [regulation and/or policy]. Acceptable work search activities include:
  - a) Creating a reemployment plan;
  - b) Creating a resume;
  - c) Uploading their resume to online job boards;
  - d) Registering for work with the state's labor exchange system, placement firm, temporary work agencies, or educational institution with job placement offices;
  - e) Using online career tools;
  - f) Logging on and looking for work in the state's labor exchange or other online job matching system;
  - g) Using reemployment services in [American Job Centers] or completing similar online or self-service activities (e.g. obtaining and using labor market and career information, participating in Reemployment Services and Eligibility Assessment (RESEA) activities, participating in skills assessment for occupational matching, instructional workshops, or other specialized activities);
  - h) Completing job applications for employers that have (or are reasonably expected to have) job openings, or following through on job referrals or job development attempts, as directed by state workforce or UI staff;
  - i) Applying for and/or participating in employment and training services provided by partner programs in [American Job Centers];
  - j) Creating a personal user profile on a professional networking site;
  - k) Participating in work-related networking events (e.g. job clubs, job fairs, industry association events, networking groups, etc.);
  - l) Making contacts or in-person visits to employers that have, or are reasonably expected to have, job openings;
  - m) Taking a civil service exam;

- n) Going on interviews with employers (virtually or in-person); or
  - o) Any other work search activities prescribed by the state in [regulation and/or policy];  
and
3. The claimant has maintained a work search activity log and submitted weekly work search activity logs to the state UI agency using the method prescribed in state [regulation and/or policy].

**Section 102. Notification to claimants of requirement to be actively seeking work.**

The [State UI Agency] shall notify claimants, using the delivery method selected by the claimant [or in accordance with existing section of state law], of the requirement to actively seek work at the time an initial claim is filed and at any other time during the benefit year that the requirement for actively seeking work substantially changes. Delivery methods may include U.S. mail, email, online mailbox, or text. This notification should include the types of acceptable work search activities; the number of work search activities required in any week; the state requirement for documentation of work search activities; and the requirement to apply to, and accept if offered, suitable jobs referred by the agency.

*States may wish to consider whether to include statutory and/or regulatory requirements for the “able to work” and “available to work” clauses separately.*