

SUBJECT: Eligibility of temporary election workers for unemployment compensation

COMMITTEE: Economic and Small Business Development — committee substitute recommended

VOTE: 9 ayes — J. Davis, Vo, Bell, Y. Davis, Isaac, Murphy, Perez, Rodriguez, Workman

0 nays

WITNESSES: For — Ed Johnson, Harris County Clerk office; (*Registered, but did not testify*: Jim Allison, County Judges and Commissioners Association of Texas; Mark Mendez, Tarrant County; Seth Mitchell, Bexar County Commissioners Court; Michael Vasquez, Texas Conference of Urban Counties)

Against — None

On — Chuck Ross, Texas Workforce Commission; (*Registered, but did not testify*: Steve Riley, Texas Workforce Commission)

BACKGROUND: The Unemployment Compensation Act (Labor Code, ch. 201) contains standards for determining eligibility for unemployment insurance and other aspects of unemployment compensation in the state. Labor Code, sec. 201.063 provides that certain positions, such as an elected official, do not qualify as employment under the Act. These positions do not qualify for unemployment compensation benefits.

DIGEST: CSHB 983 would amend Labor Code, sec. 201.063 to add election workers to the list of positions that did not qualify as employment under the Unemployment Compensation Act. The bill would apply only to election workers being paid less than \$1,000 during the calendar year.

The bill would take effect September 1, 2013, and would apply only to a claim for benefits made on or after that date.

SUPPORTERS SAY: CSHB 983 would add to state law a category of work that, under federal law, is not considered “employment” for the purpose of eligibility for unemployment compensation benefits. All of the other exceptions to

employment that appear in federal law already exist in Labor Code, sec. 201.063 . The bill merely would add this exception for temporary election workers earning less than \$1,000 per year, a proposed change that has received approval from the U.S. Department of Labor.

County clerk offices in Harris and Bexar counties, among others, have incurred costs related to temporary election workers filing for unemployment compensation after working only on election day. This bill would not affect the election workers who begin work during the early election period and easily earn more than \$1,000 in a calendar year.

**OPPONENTS
SAY:**

The bill could move Texas in the wrong direction with respect to unemployment benefits. According to measurements by the Department of Labor, Texas consistently exhibits a low rate of unemployed individuals actually receiving the unemployment benefits for which they qualify. This bill, rather than solving this issue facing the state, could contribute to the problem.