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H.B. 726
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Demetriou

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SUMMARY

- Requires the Director of Job and Family Services, under specified conditions, to waive for up to 17 weeks a requirement that an individual be actively seeking work to receive unemployment benefits.

DETAILED ANALYSIS

Waiver of unemployment work search requirements

The bill requires the Director of Job and Family Services to waive, for up to 17 weeks, a requirement that an individual be actively seeking work to receive unemployment benefits when all the following apply:

- The individual has been laid off because weather conditions prevent the individual from performing the individual's work;
- The layoff falls between December 1 and March 31;
- The individual is not a member of a bona fide labor organization (essentially, a union); and
- At the time of the layoff, the individual's employer provided the individual and the Director with a date by which work is expected to be available for the individual, and that date is not later than March 31.¹

Under continuing law, determining eligibility for unemployment benefits is a two-phase process. In the first phase, a claimant files an initial application for a determination of benefit rights, which generally examines whether the claimant worked and earned enough to be eligible

¹ R.C. 4141.29(A)(4)(a)(v).

for benefits (“monetary eligibility”). After filing a valid initial application, the claimant enters the second phase of the process. In the second phase, the claimant must file a claim for benefits each week demonstrating the claimant satisfies nonmonetary requirements to receive benefits for that week.²

To remain eligible for benefits, a claimant must be able to work, be available for and actively seeking suitable work, and must not refuse an offer of suitable work.³ Generally, unless an exception applies, the claimant must (1) apply for work with at least two work-search activities each week, (2) register with the OhioMeansJobs website, an electronic job placement system, and (3) maintain an active and searchable resume on the website and complete other reemployment services as required by the Director to satisfy the active work search requirement.⁴

Under continuing law, the Director may waive the active work search requirement in either of the following situations:

- The claimant has been laid off and expects to return to work with the employer that laid the claimant off within 45 days, and the employer has satisfied specified notice requirements; or
- The claimant has been laid off due to a partial or complete plant closure (for a purpose other than inventory or vacation) that will cause unemployment for a definite period not exceeding 26 weeks if the employer complies with specified notice requirements.⁵

Additionally, under continuing law, a claimant is considered to have met the active work search requirement under the following circumstances:

- The claimant is attending a training course approved by the Director, if attendance was recommended by the Director and the claimant is regularly attending the course and is making satisfactory progress.
- The claimant becomes unemployed while attending school and the claimant satisfied the claimant’s monetary eligibility requirements, in whole or in part, while attending that school, if the claimant regularly attends the school and remains available on any shift of hours for suitable employment to which the claimant is directed during weeks the claimant claims benefits.

² R.C. 4141.29(A)(1) and (2), by reference to R.C. 4141.28, not in the bill.

³ R.C. 4141.29(A)(4)(a)(i) and (D).

⁴ R.C. 4141.29(A)(4)(a) and (b) and (7); see also [page 7 of the Employer’s Guide to Ohio Unemployment Insurance \(PDF\)](#), which may be accessed by conducting a keyword “employer’s guide” search on the Department of Job and Family Services’ website: jfs.ohio.gov.

⁵ R.C. 4141.29(A)(4)(ii) and (iii).

- The claimant is a member in good standing with a labor organization that refers individuals to jobs and the claimant provides documentation that the claimant is eligible for a referral or placement upon request and in a manner prescribed by the Director.⁶

When the Director waives the active work search requirement, or those requirements are considered satisfied, the claimant is not required to register with OhioMeansJobs or complete other reemployment services.⁷

HISTORY

Action	Date
Introduced	03-03-26

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⁶ R.C. 4141.29(A)(4)(c) to (e).

⁷ R.C. 4141.29(A)(4)(b).