To improve the unemployment insurance program.

IN THE SENATE OF THE UNITED STATES

Mr. Wyden introduced the following bill; which was read twice and referred to the Committee on

A BILL

To improve the unemployment insurance program.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Unemployment Insurance Improvement Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Floor on the number of weeks.
Sec. 3. Base period.
Sec. 4. Minimum level of prior employment.
Sec. 5. Part-time work.
Sec. 6. Access to benefits.
SEC. 2. FLOOR ON THE NUMBER OF WEEKS.

(a) In General.—Section 3304(a) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (18), by striking “and” at the end;

(2) by redesignating paragraph (19) as paragraph (20); and

(3) by inserting after paragraph (18) the following new paragraph:

“(19) the minimum duration of benefits is at least 26 weeks and no variable duration formula that provides for maximum weeks of benefits of fewer than 26 weeks is used, or, in the case of a State that uses a maximum benefit entitlement, an individual’s maximum benefit entitlement may not be less than 26 times the individual’s weekly benefit amount; and”.

(b) Effective Date.—The amendments made by subsection (a) shall apply to weeks of unemployment beginning on or after the earlier of—

(1) the date the State changes its statutes, regulations, or policies in order to comply with such amendments; or

(2) January 1, 2024.
SEC. 3. BASE PERIOD.

(a) In general.—Section 3304(a) of the Internal Revenue Code of 1986, as amended by section 2, is amended—

(1) in paragraph (19), by striking “and” at the end;

(2) by redesignating paragraph (20) as paragraph (21); and

(3) by inserting after paragraph (19) the following new paragraphs:

“(20) the State law—

“(A) uses a base period that consists of at least 4 completed calendar quarters preceding the effective date of the claim and includes the most recently completed calendar quarter before the start of the benefit year for purposes of determining eligibility for unemployment compensation; or

“(B) provides that, in the case of an individual who would not otherwise be eligible for unemployment compensation under the State law because of the use of a base period that does not meet the requirements described in subparagraph (A), eligibility is determined using a base period that consists of at least 4 completed calendar quarters preceding the ef-
fective date of the claim and includes the most
recently completed calendar quarter before the
start of the benefit year; and’’.

(b) EFFECTIVE DATE.—The amendments made by
subsection (a) shall apply to weeks of unemployment be-
inginning on or after the earlier of—

(1) the date the State changes its statutes, reg-
ulations, or policies in order to comply with such
amendments; or

(2) January 1, 2024.

SEC. 4. MINIMUM LEVEL OF PRIOR EMPLOYMENT.

(a) REQUIREMENT.—

(1) IN GENERAL.—Section 3304(a) of the In-
ternal Revenue Code of 1986, as amended by sec-
tions 2 and 3, is amended—

(A) in paragraph (20), by striking “and”
at the end;

(B) by redesignating paragraph (21) as
paragraph (22); and

(C) by inserting after paragraph (20) the
following new paragraph:

“(21) compensation is not denied to an other-
wise eligible individual if the individual earned at
least $1,000 in covered wages during the highest
quarter of the base period and at least $1,500 in
covered wages during the base period; and’’.

(2) STATE MAY REDUCE MINIMUM THRESHOLDS.—Nothing in paragraph (21) of section
3304(a) of the Internal Revenue Code of 1986, as
added by paragraph (1), shall preclude a State from
reducing the dollar thresholds described in such
paragraph (22).

(b) EFFECTIVE DATE.—The amendments made by
subsection (a) shall apply to weeks of unemployment be-
ginning on or after the earlier of—

(1) the date the State changes its statutes, reg-
ulations, or policies in order to comply with such
amendments; or

(2) January 1, 2024.

SEC. 5. PART-TIME WORK.

(a) IN GENERAL.—Section 3304(a) of the Internal
Revenue Code of 1986, as amended by sections 2, 3, and
4, is amended—

(1) in paragraph (21), by striking “and” at the
end;

(2) by redesignating paragraph (22) as para-
graph (25); and

(3) by inserting after paragraph (21) the fol-
lowing new paragraphs:
“(22) an individual is not denied unemployment compensation under any State law provisions relating to ability to work, availability for work, active search for work, or refusal to accept work, solely on the basis of the number of hours of work such individual is seeking, provided that the individual is seeking at least the lesser of—

“(A) 20 hours of work per week; or

“(B) a number of hours of work per week equal to at least one half of the typical number of hours worked per week in the individual’s base period;

“(23) an individual may claim benefits for a week of partial unemployment, including in circumstances where an individual has had their hours reduced or performs part-time work while continuing to search for additional part-time or full-time work, if their earnings are less than the individual’s weekly benefit amount;

“(24) when determining the weekly benefit amount for an individual claiming a benefit for a week of partial unemployment, the State disregards, at a minimum, earnings equal to ½ of the individual’s weekly benefit amount in computing the indi-
vidual’s weekly benefit for partial unemployment; and”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to weeks of unemployment beginning on or after the earlier of—

(1) the date the State changes its statutes, regulations, or policies in order to comply with such amendments; or

(2) January 1, 2024.

SEC. 6. ACCESS TO BENEFITS.

Section 303 of the Social Security Act (42 U.S.C. 503) is amended by adding at the end the following new subsection:

“(n) ACCESS TO BENEFITS.—

“(1) IN GENERAL.—Not later than January 1, 2024, the State agency charged with the administration of the State law shall, in accordance with standards established by the Secretary—

“(A) require that employers in the State provide information regarding claim-filing for unemployment compensation to employees upon separation from employment;

“(B) have in place methods for employers to notify the State workforce agency of employees who may apply for unemployment com-
pensation due to short-term layoffs, business
shutdowns, partial unemployment, and short-
time compensation;

“(C) ensure that any online claim-filing
system used by the State—

“(i) can be readily understood and
used by the vast majority of applicants and
claimants, including individuals with lim-
ited English proficiency, individuals with
disabilities, older individuals, and individ-
uals with literacy challenges;

“(ii) is available in any language spo-
ken by more than 1 percent of the State’s
population (with such translations com-
pleted by human translators rather than
translation software);

“(iii) is accessible and optimized for
all commonly used desktop computers, tab-
lets, and mobile devices and operating sys-
tems such that any features of the online
claim filing component (such as the ability
to upload documentation) that are avail-
able in the desktop version of the online
claim filing component are also available in
the tablet and mobile versions;
“(iv) allows for electronic submission of documentation required to support a claim, including the ability of applicants and claimants to scan or photograph and submit documentation using a tablet or mobile device;

“(v) is available 24 hours a day, 7 days a week, with the exception of scheduled and emergency maintenance that shall be conducted, to the extent practicable, at nonpeak hours;

“(vi) provides self-service account recovery that can be completed online; and

“(vii) deploys multiple methods of communication with applicants and claimants, such as short message service (SMS) message, email, postal mail, live chat, or chatbots;

“(D) ensure that alternate means of claim filing are available for individuals who are unable to file through the State’s online claim-filing system.

“(2) ENFORCEMENT.—Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the admin-
istration of the State law, finds that there is a fail-
ure to comply substantially with the requirements of
paragraph (1), the Secretary of Labor shall notify
such State agency that further payments will not be
made to the State until the Secretary of Labor is
satisfied that there is no longer any such failure.
Until the Secretary of Labor is so satisfied, such
Secretary shall make no future certification to the
Secretary of the Treasury with respect to the
State.”.