



Testimony for HB 2401
Testimony for KS House Commerce,
Labor & Economic Development Committee
Employment Security Law Reforms
Submitted on behalf of The Kansas State Council of the
Society for Human Resource Management (KS SHRM)
March 14, 2023 | Phillip M. Hayes



Members of the Committee:

My name is Phillip Hayes and I am here today on behalf of The Kansas State Council of the Society for Human Resource Management (KS SHRM) in support of UI reforms. I am the Vice President of The Arnold Group, A Human Resource Company in Wichita, Kansas that provides recruiting/staffing, executive search/talent acquisition, and workforce solutions. Additionally, I served on the Kansas Employment Security Review Board with the Kansas Department of Labor (KDOL) from 2014 to 2022. I currently serve on the Kansas Unemployment Compensation Modernization & Improvement Council as well as the Kansas Workers Compensation and Unemployment Review Board Nominating Committee. I have been a local, state and national SHRM member for 20+ years and most recently served as KS SHRM Director.

For those unfamiliar with KS SHRM, we are a professional organization representing over 2,200 HR professionals in Kansas serving the needs and advancing the interests of the profession throughout the state. Our members are responsible for developing and implementing workplace policies and practices that comply with federal, state, and local laws and provide guidance to line managers on fair and effective people management. Our members serve public and private sectors as well as large and small businesses. On a daily basis, our members are on the front lines when it comes to important issues such as workforce planning, HR development, compensation and benefits, employee relations, workers' compensation, and unemployment insurance.

HB 2401 essentially serves as a cleanup bill to address carryover items from the 2021-2022 session. Overall, we support HB 2401 the following clarification, in which KDOL agreed as this more closely aligns with the language found associated with the My Reemployment Plan:

Page 21, lines 31-37

(ii) "Temporary unemployment" means that the individual has been laid off due to lack of work by an employing unit for which the individual has worked full time and for which the individual reasonably expects to resume full-time work at a future date, and that the individual's employment with the employing unit, although temporarily suspended, has not been terminated. "Temporary unemployment" shall not exceed eight consecutive weeks **and be limited to the first 8 consecutive weeks of benefits in a benefit year.**

It is our understanding the language regarding the KES Board on page 23, lines 36-43 provides flexibility to KDOL if a full secondary KES Board is not warranted or needed based on claim load.

Additionally, KS SHRM, KS Chamber and KS NFIB has been working with KDOL staff to identify compromised language from HB 2333:

The *Ghosting* language will be reduced from what it was in HB 2333 to an overarching statement, giving KDOL the flexibility to work with the business community to address the process. Following is the agreed upon language:

“Create in the modernized Unemployment Insurance system an audit process where employers may submit inquiries related to the work search and My Reemployment Plan activities and applicants that accept interview appointments but do not participate or notify the interviewing employer of their inability to participate in the scheduled interview.”

The language from HB 2333 Allowing for the Legislative Coordinating Council (LCC) and Unemployment Compensation Modernization and Improvement Council (UCMIC) to extend the new Unemployment Compensation Insurance (UI) System implementation to be extended with cause. This provision provides authority for the LCC and the UCMIC to extend the deadline for the implementation of the new UI system. Also, it requires the secretary, prior to 30 days before the existing deadline, to notify the LCC and UCMIC of the need for an extension. Lastly, it allows a retroactive extension if required.

We respectfully request your YES vote on HB 2401 with amendments. Thank you for the opportunity to appear before you. I am available by phone or email to address any future questions or concerns.

Respectfully,

Phillip M. Hayes
Vice President – The Arnold Group
316.619.7864 | phayes@the-arnold-group.com