

Legislative Analysis



UNEMPLOYMENT ASSISTANCE ABLE AND AVAILABLE REQUIREMENT

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Senate Bill 445 (S-1) as passed by the Senate
Sponsor: Sen. Jeff Irwin
House Committee: Workforce, Trades, and Talent
Senate Committee: Economic and Small Business Development
Complete to 9-28-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 445 would amend the “able and available” requirement of the Michigan Employment Security Act. Currently, on a weekly basis, unemployed individuals must be able and available for suitable full-time work. Under the bill, for claims under the federal Pandemic Unemployment Assistance (PUA) program,¹ the requirement would instead apply to suitable full-time *or part-time* work.

According to Senate committee testimony on June 3, 2021, the bill is intended to resolve a conflict between Michigan unemployment law and PUA, which was enacted as an emergency measure in response to the COVID-19 pandemic.

Under Michigan law, in order to be eligible for benefits, a worker must be able and available to perform qualifying full-time work. PUA extends federal benefits to full- and part-time workers, but requires certain compliance with state eligibility requirements.

Accordingly, the bill provides that, for all claims filed after March 1, 2020, and established under PUA, the Michigan requirement regarding “able and available” would apply to full-time *and* part-time work.

MCL 421.28

FISCAL IMPACT:

Senate Bill 445 would not have a fiscal impact on the Unemployment Insurance Agency or any other unit of state or local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ https://www.michigan.gov/documents/leo/Fact_Sheet_172_-_Pandemic_Unemployment_Assistance_4-2020-sec_686888_7.pdf