

[Second Reprint]

SENATE, No. 2396

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 24, 2022

Sponsored by:

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Senator ANDREW ZWICKER

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Assemblyman Caputo, Assemblywomen Eulner, Piperno, McKnight,

Assemblymen Sauickie, Calabrese, Assemblywomen Jimenez, Jasey and

Senator O'Scanlon

SYNOPSIS

Provides for oversight and improvement of administration of unemployment compensation.

CURRENT VERSION OF TEXT

As amended by the Senate on December 19, 2022.



(Sponsorship Updated As Of: 12/19/2022)

1 AN ACT concerning ¹**the**¹ unemployment compensation and
 2 supplementing chapter 21 of Title 43 of the Revised Statutes.

3
 4 **BE IT ENACTED** by the Senate and General Assembly of the State
 5 of New Jersey:

6
 7 1. The commissioner shall, not later than ¹**November 30 of**
 8 **2022**²**November 30, 2023¹** **December 31, 2023²** and each
 9 subsequent year, issue, provide to the Legislature, and make
 10 available to the public in a prominent location on the department's
 11 website, a report regarding the department's performance in
 12 providing timely and accurate processing of, and adjudicating
 13 appeals concerning, unemployment compensation benefit claims.
 14 The report shall include:

15 a. ¹**Data** regarding the State's performance levels during the
 16 last four completed calendar quarters on all of the U.S. Department
 17 of Labor's core measures regarding the timeliness and quality of
 18 first payments of benefits, benefit determinations, and lower and
 19 higher authority appeals;

20 b. Data regarding whether, for each core measure, the State has
 21 attained acceptable levels of performance under the U.S.
 22 Department of Labor standards, and how the State's level of
 23 performance compares to the national average;

24 c.¹ (1) The number of personnel in the department employed in
 25 the administration of the unemployment insurance system and the
 26 budgeted cost of salaries and benefits for those personnel:

27 (2) The number of personnel who are processing unemployment
 28 benefit claims, the number engaged in other functions of the
 29 system, and the budgeted cost of salaries and benefits for those
 30 personnel;

31 (3) What percentage of total division administrative costs is
 32 comprised of those categories of personnel costs;

33 ¹**d.**¹ **Information** regarding the appropriations for the
 34 system during the fiscal year in which the report is made and the
 35 preceding fiscal year, including:

36 (1) For both fiscal years, the amount appropriated in federal
 37 funds, the budget authority, the budget reserve, the amount
 38 expended, and the amount of each year's appropriation not
 39 expended;

40 (2) The anticipated expenditures for the remainder of the fiscal
 41 year in which the report is made; and

42 (3) The total unexpended moneys remaining from any previous
 43 appropriation;

44 ¹**e.** **and**

EXPLANATION – Matter enclosed in bold-faced brackets **thus** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ALA committee amendments adopted October 17, 2022.

²Senate floor amendments adopted December 19, 2022.

1 c.¹ If an acceptable level of performance was not attained
2 during the year, the level of performance was substantially below
3 the national average, or it is determined that there are other
4 significant problems in the administration of the system, the report
5 shall provide an evaluation of the causes of the deficiencies and a
6 plan to correct them. That plan shall include:

7 (1) Any increase in personnel needed to process claims and
8 appeals of claims and make benefit payments expeditiously and
9 accurately;

10 (2) Any measures needed to enforce notification and reporting
11 requirements;

12 (3) Any measures needed to inform employers and employees of
13 their responsibilities to facilitate the timely provision of benefits;

14 (4) Any improvements needed in data processing, telephone and
15 other communications technology, staff training, and other
16 administrative services and equipment;

17 (5) Any measures needed to improve service to claimants and
18 beneficiaries, including implementing easy-to-use, user-friendly
19 application processes, facilitating rapid response times to inquiries
20 and applications, and providing easy access to personal assistance
21 as needed; and

22 (6) Any other measures appropriate for a full modernization of
23 the administration of all aspects of the unemployment insurance
24 system.

25 The plan shall include all of the provisions of any applicable
26 corrective action plan which is included in an Unemployment
27 Insurance State Quality Service Plan approved by the U.S.
28 Department of Labor. The plan shall, as needed, also provide for
29 measures, in addition to those provided in those corrective action
30 plans, to attain more rapid improvements in performance and
31 provide for greater commitments of resources to attain its goals than
32 the federal plan, including expenditures of funds held in reserve and
33 other unexpended funds, and funding from non-federal sources,
34 including the Unemployment Compensation Auxiliary Fund. The
35 commissioner shall include any proposals of the report for greater
36 commitments of resources in the commissioner's budget requests
37 for the fiscal year following the issuing of the report.

38
39 2. This act shall take effect immediately.