

## **The Bottom Line: H.3477 Maximum Potential Unemployment Benefits**

The bill changes how long people can receive unemployment benefits and ties that duration to the statewide unemployment rate, while also updating how misconduct and cause-based disqualifications are calculated.

### **Variable duration of benefits**

- Replaces the flat “20 weeks or one-third of base-period wages” cap with a sliding scale of 12–19 weeks, based on the seasonally adjusted statewide unemployment rate in a three-month “reference period.”
- Specifies how to calculate that rate (which months are averaged for each quarter) and requires the Department of Employment and Workforce to use the most recent BLS seasonally adjusted numbers and adopt regulations, including job-search verification tools like interview-attendance checks.

### **Disqualification and penalties**

- Amends the misconduct provision so that if a claimant is discharged for misconduct, they are ineligible for benefits for the “maximum duration of benefits applicable to the claim” (i.e., the full number of weeks they otherwise could have received under the new sliding scale), and their total benefits are reduced by that same number of weeks.
- Amends the “discharge for cause, other than misconduct” provision so that the ineligibility period becomes “one week less than the maximum duration of benefits applicable to the claim,” with the total benefit reduction equal to weeks of disqualification times the weekly amount, while clarifying that discharge for substandard performance due to inefficiency, inability, or incapacity cannot be used as a basis for disqualification under either category.