



OHIO LEGISLATIVE SERVICE COMMISSION

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Fiscal Note & Local Impact Statement

Bill: H.B. 158 of the 132nd G.A.

Status: As Enacted

Sponsor: Reps. Perales and Craig

Local Impact Statement Procedure Required: Yes

Subject: Unemployment insurance eligibility for spouses of military members who are transferred

State Fiscal Highlights

- The bill will result in an increase in benefits issued from Ohio's Unemployment Compensation Fund (the Fund). The increase in benefits will be funded by the state's mutualized account in the Fund for contributory employers.
- State agencies and other government entities (state hospitals, universities, etc.), which are reimbursing employers, may experience an increase in reimbursements made to the Fund for benefits issued to military spouses.

Local Fiscal Highlights

- Local government entities may experience an increase in reimbursements made to the Fund for benefits issued to military spouses.

Detailed Fiscal Analysis

The bill extends eligibility for unemployment compensation (UC) benefits to an individual who quits work to accompany the individual's transferred spouse who is a member of the U.S. Armed Forces on active duty or a member of the Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA) or the Public Health Services (PHS). The bill also states that the military, NOAA, or PHS member must have moved to a location that is impractical to commute from and that the spouse is available for suitable work in order to be eligible to receive unemployment compensation.

Impact on unemployment benefits

Based on estimates made by the U.S. Department of Defense (USDOD), the bill will increase unemployment benefits issued in Ohio by about \$242,000 each year. This amounts to about a 0.03% increase over the \$854.2 million in unemployment benefits issued in 2017. The estimate assumes that about 44 military spouses will claim benefits each year and that they will receive \$5,498 in benefits, based on the average weekly unemployment benefit amount (\$374) and the average number of weeks of

unemployment (14.7 weeks).¹ USDOD states that the actual cost per individual may be lower, because military spouses tend to make less than the average wage and usually find employment shortly after relocating. The actual cost of extending eligibility will depend on the number of spouses eligible to receive benefits, the number of weeks spouses receive benefit payments, and the amount of weekly benefits for those spouses.

A 2013 analysis estimated that 44 individuals will claim benefits each year in Ohio. This estimate was based on the number of current military spouses in Ohio and the number of military spouses that have claimed benefits in other states. According to USDOD Defense Manpower Data Center, a statistics agency within USDOD, it is estimated that in 2013 about 4,350 spouses of active duty military members resided in Ohio. Of that number, an estimated 2,240 (51.5%) were in the labor force. Then, based on the number of military spouses that have claimed unemployment benefits in other states, USDOD estimated that about 2% of the 2,240 spouses (44 individuals) will claim benefits.

The analysis of military members by USDOD did not include PHS and NOAA members. PHS includes over 6,700 officers, with fewer than 100 working in Ohio while NOAA includes over 300 officers, with none currently stationed in Ohio. Assuming that all PHS officers have spouses, 51.5% of those spouses are in the labor force, and 2.0% of those will claim UC benefits, then this change will likely result in fewer than one additional claim per year.

Funding military spousal unemployment benefits

Contributory employers

USDOD estimates that most military spouses (70%) are employed by contributory employers. Contributory employers are mostly private employers (there are about 222,000 contributory employers in the state). In most cases, if a contributory employer has a layoff, payment of the unemployment benefit is paid from the employer's account in the Fund. As the balance in an employer's account goes down, the rate of contributions in future years for the employer will increase to replenish those losses. However, under the bill, benefits to military spouses will be issued from the mutualized account in the Fund. This account is separate from employer accounts in the Fund and is mainly used to recover the costs of unemployment benefits that were paid and not chargeable to individual employers for a variety of reasons. Benefits issued to military spouses from the mutualized account will not reduce the balance in individual employers' accounts. Therefore, contributory employers will not be charged additional amounts from their own accounts for military spouses that claim benefits under the bill. Due to the estimated small number of claimants, it is unlikely that contributory employers will be required to pay additional amounts into the mutualized account.

¹ Source: Ohio Department of Job and Family Services, Ohio Labor Market Information. December 2017.

Employer contributions to the Fund are based on state unemployment tax rates that range from 0.3% to 8.8% on the first \$9,500 of each employee's taxable wage. In 2017, the total average state unemployment tax rate was about 2.97% (or \$267 paid per employee). As part of their state unemployment taxes, employers pay a minimum safe level (MSL) tax. This tax, included in the experience rates, ranges from 0.2% to 2.0%, and is charged to employers when the Fund balance is 40% or less of the minimum safe level. The minimum safe level of the Fund, as defined by state law, is \$2.92 billion (as of July 2017); therefore, 40% of that level is \$1.19 billion. This tax is currently in effect, as the Fund remains below this threshold. Half of the amount collected from this tax is credited to an employer's account and the other half is credited to the state's mutualized account. At the end of FY 2017, the state's mutualized account had a positive balance and thus no mutualized tax was charged.

Reimbursing employers

USDOD estimates that 30% of military spouses are employed by reimbursing employers. Reimbursing employers generally include public employers (state agencies, local government entities, etc.) and nonprofit organizations that have elected to be reimbursing employers instead of contributory employers. Reimbursing employers are billed once a month, after the fact, for the amount of benefits paid to the employer's former employees from the Fund. Benefits issued under the bill to military spouses by reimbursing employers will be financed through the employer reimbursing the Fund. There are about 5,000 reimbursing employers in the state, of which 3,700 are government entities.

Administration

Extending eligibility to individuals married to active duty military members will minimally increase administrative costs for the Ohio Department of Job and Family Services (ODJFS). Administrative costs will likely be fully funded by the federal government. Ohio receives a federal grant each year to administer unemployment programs. The amount of the grant is based on workload estimates made by the U.S. Department of Labor (USDOL). In addition, each quarter USDOL provides "above-base funding" for costs that exceed the estimated costs. Federal dollars for administration of unemployment programs are deposited into the Unemployment Compensation Fund (Fund 3V40) and are expended from line item 600678, Federal Unemployment Programs.