RULE IMPACT STATEMENT

1. DESCRIPTION. 240:1-3-4. The amendment to this rule will inform records requestors that if the request would cause an excessive disruption of the essential functions of the OESC, there may be a delay in the production of records to prevent the disruption. 240:1-3-5. The amendment to this rule will inform records requestors that if a records request would clearly cause an excessive disruption of the essential functions of the OESC, the agency may charge the requestor a reasonable fee for the cost of the records copying and reproduction, including the costs of private vendors if necessary. 240:1-3-6. The amendment to this rule will inform records requestors that if a records request would clearly cause an excessive disruption of the essential functions of the OESC, the agency may charge the requestor a reasonable fee for the cost of searching for the records in addition to the $10 fee set out in the rule. If the OESC must use a private vendor to complete the search, the records requestor must pay all costs associated with the private vendor. 240:1-5-1 through 240:1-5-7. In Executive Order 2020-3, Governor Stitt required a review of all agency administrative rules to find and revoke those rules that have become obsolete and are no longer necessary. In a review of the rules of the Oklahoma Employment Security Commission, it was found that the rules concerning local project funding were obsolete and unnecessary. The local project funding rules consist of 7 rules numbered from 240:1-5-1 through 240:1-5-7. These rules were passed in 2003 to provide for "local project funding" as envisioned by Executive Order 98-37. The OESC never entered into the type of contract provided for in the local project funding program due to restrictions on the use of its federal grant funds. The local project funding rules are now obsolete and should be revoked.

2. CLASSES OF PERSONS AFFECTED. This rule will affect all persons requesting copies of documents from the OESC.

3. CLASSES OF PERSONS WHO WILL BENEFIT. This rule amendment will benefit the taxpayers of Oklahoma, in that it will help ensure that excessive disruptions of OESC’s essential functions are minimized. Further, this rule amendment will ensure that fees for the cost of producing records will not be borne by taxpayers.

4. ECONOMIC IMPACT. The overall economic impact will be positive.

5. COST TO AGENCIES OR STATE REVENUE. There will be no increase in costs to the Oklahoma Employment Security Commission or to the State of Oklahoma.

6. OTHER METHODS TO ACHIEVE PURPOSE. There is no other method to achieve this purpose.

7. DATE PREPARED. September 24, 2020
RULE IMPACT STATEMENT

1. DESCRIPTION.  240:10-3-20. The U.S. Department of Labor provided model unemployment insurance state work search legislation in its training and employment notice of February 10, 2020. The OESC has been requested to enact the model work search legislation into its state law. Subsection (b) of this rule contains the work search requirements for the OESC. Some of the current requirements have been stricken because they were duplicated in the model language provided by the USDOL. The USDOL model language is included in subsections (b)(4) through (18). Subsection (d) is an activity log requirement and subsection (e) is a referral requirement that also come from the USDOL model legislation. The model legislation is intended to create similar requirements across the United States and to speed unemployment benefit claimants to return to work. Subsection (f) is being amended to allow for waiver of work registration requirements when there is a natural disaster, pandemic, fire, flood, or explosion and the requirement would work a hardship on claimants. 240:10-3-54. Amending this rule will clarify the section of law under which this rule was passed. 240:10-3-55. This new rule will set out the requirements for a claimant portal that will be developed in the near future. This will allow for notification of claim determinations through a secure internet portal that claimants can access through the use of user IDs and passwords. Once completed, the claimant portal, like the employer portal provided for in 240:10-3-54, will create an efficient and secure mode of communication to unemployment benefit claimants. 240:10-5-17. This is a clarification amendment to state that a "pandemic" will be considered among the reasons why relief from benefit wage charges can be granted. This is in response to the COVID-19 pandemic of 2020.

2. CLASSES OF PERSONS AFFECTED. These rules will affect all claimants filing unemployment claims.

3. CLASSES OF PERSONS WHO WILL BENEFIT. These rules will benefit all unemployment benefit claimants in Oklahoma.

4. ECONOMIC IMPACT. The overall economic impact will be positive.

5. COST TO AGENCIES OR STATE REVENUE. There will be no increase in costs to the Oklahoma Employment Security Commission or the state.

6. OTHER METHODS TO ACHIEVE PURPOSE. There is no other method to achieve this purpose.

7. DATE PREPARED. September 24, 2020