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2012 DEC 11 PM 1:01

December 11, 2012

The Honorable Silvan B. Lutkewitte, III
Chairman
Independent Regulatory Review Commission
333 Market Street, 14th floor
Harrisburg, PA 17101

EMBARGOED MATERIAL

RE: Regulation #12 – 96: Unemployment Compensation; Active Search for Work

Dear Chairman Lutkewitte:

On behalf of the thousands of employers represented by the Pennsylvania Chamber of Business and Industry, I write to urge the Independent Regulatory Review Commission to approve the Department of Labor and Industry's (the Department) rulemaking related to work search requirements for unemployment compensation (UC) claimants.

The PA Chamber supported the enactment of Act 6 of 2011, which included a work search requirement for UC claimants and was passed unanimously by both the State Senate and House of Representatives. This legislation, along with Act 60 of 2012, provided important amendments to Pennsylvania UC law that were necessary to bring balance to the program and put it on a path to fiscal sustainability. UC benefits in Pennsylvania are among the most generous in the nation and the average duration that a beneficiary receives UC is higher in Pennsylvania than in the vast majority of other states.

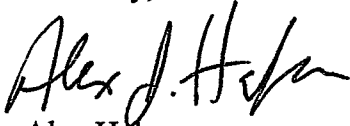
Pennsylvania is the only state in the country with no active work search requirement; and while the implementation of such a requirement is not a panacea, it is certainly a step in the right direction. Directing UC claimants to register with and work through the Pennsylvania CareerLink System will assist employers with open positions to identify potential applicants; provide unemployed individuals with access to a credible and comprehensive inventory of job openings; and help to ensure that UC beneficiaries are indeed actively searching for work.

The PA Chamber submitted comments to the Department during the rule-making process; most notably opposing the exemption from the work search requirement for any claimant who is a member of a union that has a hiring hall. We opined that such an exemption was not in the best interest of the UC program, employers looking for job applicants or, most importantly, the unemployed worker. Certainly it would be reasonable to assume that a typical union hiring hall does indeed work diligently to help put its members back to work, just as it would be reasonable to assume that the typical unemployed worker is already actively searching for a job. Yet this requirement was deemed necessary to provide a more efficient work search process and to account for those abusing the system by not actively looking for a job while collecting UC

benefits. Although this exemption remains, on balance the proposed rule will benefit the unemployed, employers and the state's UC program and ought to be approved.

Thank you for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex J. Halper". The signature is fluid and cursive, with the first name "Alex" being more prominent.

Alex Halper
Manager, Government Affairs

cc: The Honorable Julia Hearthway, Secretary, PA Department of Labor and Industry

TRANSACTION REPORT

P. 01

DEC-11-2012 TUE 02:24 PM

FOR:

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DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
DEC-11	02:24 PM	78826	33"	3	FAX TX	OK	770	

TOTAL : 33S PAGES: 3

Facsimile Cover Sheet



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INDEPENDENT REGULATORY REVIEW COMMISSION
 333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

To: Julia Hearthway, Secretary
 Agency: Department of Labor & Industry
 Phone: 705-2630
 Fax: 7-8826
 Date: December 11, 2012
 # of Pages: 3

RE: Department of Labor and Industry's Regulation #12-96 (IRRC #2939)

URGENT!

Section 5.1(j) of the Regulatory Review Act (71 P.S. § 745.5a(j)) requires us to forward to you any documents we receive during the 48-hour blackout preceding our public meeting upon receipt. **Please distribute this material to the appropriate regulatory staff as soon as possible.**