



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

House Bill 998

Maryland Department of Labor - Unemployment Insurance - Study on Actively Seeking Work Requirements

Economic Matters Committee, February 28, 2024

Position: OPPOSED

Maryland Legal Aid submits its written and oral testimony on HB 998 at the request of Delegate Charkoudian.

Maryland Legal Aid (MLA) asks that the Committee report in opposition to House Bill 998, which requires the Maryland Department of Labor (MDOL) to complete a study on claimant work certifications compared to other states, and to permit a Maryland employer to enter information about a claimant in the official MDOL electronic portal, BEACON, during an application for unemployment insurance benefits.

Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. Our twelve offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, including representing claimants seeking unemployment insurance. MLA has represented many thousands of Marylanders in unemployment insurance claims. Fair accessibility of unemployment insurance has become an issue in recent years. MLA strongly opposes proposed additional barriers on claimants.

Unemployment Insurance is only available to a former employee who has lost their job at "no fault of their own."¹ HB 998 requires MDOL to conduct a study on the unemployment insurance benefit system requirement that a claimant must "actively seek work" while applying and receiving unemployment insurance benefits – as compared to other states, whether MDOL is able to perform periodic verification of the seeking work information provided by claimants, and to evaluate whether unrelated "employers" may input information into BEACON about a claimant's actively seeking work requirement.

Applicants for unemployment benefits are required to use the electronic portal BEACON to apply for benefits and receive information about their claim. The portal is challenging – applicants are frequently locked out and even their attorneys have no independent access to the BEACON accounts.

HB 998 proposes a study to allow and compare the ability of Maryland employers, who have no formal relationship to a claimant, to independently gain access to a claimant's BEACON account and supply information about job applications, including whether a claimant failed to appear for a job interview and/or maintain contact with a proposed employer subsequent to a job interview. The stated purpose of the study violates a claimant's privacy rights. The bill does not require MDOL to ensure any protections for Maryland citizens about the private and sensitive information in BEACON, including work history, personal addresses, and bank account information. The bill contains no protections for individuals who are required to use a computer-based portal to enter very personal and privileged information.

Maryland Legal Aid strongly urges the Committee to issue a report in OPPOSITION on House Bill 998. If you have any questions, please contact Christina Moore, (410) 951-7727, cmoore@mdlab.org.

¹ Maryland Code Ann. § 8-102(c).