

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 2 of Chapter 1 of Title 60.2 a section*
3 *numbered 60.2-121.2, relating to unemployment compensation; electronic submission of information;*
4 *Virginia Employment Commission to develop plan for pilot program.*

5 [S 655]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That the Code of Virginia is amended by adding in Article 2 of Chapter 1 of Title 60.2 a**
9 **section numbered 60.2-121.2 as follows:**

10 **§ 60.2-121.2. *Electronic submission of information; payments.***

11 *A. Each employer subject to the provisions of this title shall submit claim-related forms, including*
12 *separation information, using an electronic format prescribed by the Commission, unless the employer*
13 *has been granted a waiver by the Commission. An employer shall submit any other information related*
14 *to a claim, as defined in § 60.2-528.1, at any time when requested by the Commission, to the*
15 *Commission by electronic means, unless the employer has been granted a waiver by the Commission.*
16 *The Commission may also require, at any time, that an employer submit unemployment insurance tax*
17 *payments electronically, unless the employer has been granted a waiver by the Commission.*

18 *B. The Commission may grant a waiver to an employer from providing information or payments*
19 *electronically pursuant to this section at any time. The Commission may grant a waiver only if the*
20 *Commission finds that the electronic submission requirement creates an unreasonable burden on the*
21 *employer. All requests for a waiver shall be submitted in writing.*

22 **2. That the Virginia Employment Commission (the Commission) shall develop a plan to conduct a**
23 **pilot program that would require a sample group of employers that employ 15 or more employees**
24 **to proactively provide separation information, including the date of and reason for separation, to**
25 **separated individuals and electronically to the Commission within seven days of the individual's**
26 **separation from employment. The plan shall include provisions to ensure (i) the pilot program**
27 **includes employers that represent a variety of industries, regions of the state, employer size based**
28 **on gross receipts, and unemployment insurance experience ratings of employers and (ii) the**
29 **number of employers selected to participate in the pilot program is limited to the number**
30 **necessary to provide sufficient feedback on the pilot program and minimize the administrative**
31 **burden on the Commission. The plan shall include a description of how the Commission will (a)**
32 **document the pilot program's financial and administrative impact on the Commission and (b)**
33 **collect input from participating employers on the financial and administrative impacts they**
34 **experienced as a result of their involvement in the pilot program. The Commission shall submit**
35 **the plan to conduct the pilot program to the Commission on Unemployment Compensation by**
36 **January 1, 2023.**

ENROLLED

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