

# Bill will prevent abuse with jobless benefits

Since I started holding town hall meetings in 2009 and started weekly legislative updates by email in January 2010, I have heard concerns from many people across Aiken County about some people who take advantage of our state's system to provide unemployment benefits.

Two years ago, the General Assembly passed legislation prohibiting a person terminated for gross misconduct from receiving unemployment benefits.

This week, the S.C. House of Representatives will debate a bill addressing another area of concern.

Here is the background: As of mid-March 2012, there were 27,311 South Carolinians receiving unemployment checks at an average of \$236 a week.

The money comes from a tax paid by employers. The state provides up to 20 weeks of unemployment benefits after which the federal government provides additional weeks although those federal benefits are ending this year.

Last year, more than \$465 million was paid out to citizens in the state who were unemployed. While someone is getting unemployment, he or she is required to document to the Department of Employment and Workforce that he is looking for work with at least four employers a week.

Many employers will require that a prospective employee pass a drug test before that person is formally hired.

Usually, where the employer requires passage of a drug test, the employer makes an offer of employment conditioned on the person's passing the drug test.

Under a bill pending on the floor of the S.C. House of Representatives this week, if the unemployed person fails the drug test or refuses to take the drug test required by the potential employer for the person to be hired, then the employer can report the failure or refusal to the Department of Employment and



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Rep. Tom Young represents S.C. House District 81. He is an attorney and lives in Aiken.

Workforce. When the failure or refusal is reported, then the unemployed person will lose his benefits.

The unemployed person will have the right to an appeal but benefits are terminated pending any appeal.

The logic behind this proposed bill is that but for the unemployed person's failing or refusing the drug test, then the person would be hired and no longer drawing unemployment.

In other words, the person will be considered to have refused an offer of suitable work because the offer of work was withdrawn by the potential employer after the person failed or refused the drug test.

State law already requires that people who are fired for using illegal drugs in the workplace are ineligible to receive unemployment benefits.

In the past three weeks, the bill has come up two times on the House floor where it has quickly caught the attention of opponents.

They argue that it is unjust to stop someone's unemployment benefits where they fail or refuse a drug test offered as part of being hired to a new job.

I simply disagree and based on the feedback I have received, most people in Aiken County disagree too.

This week, the bill will come back up for debate and most likely will get a vote on the House floor.

As a primary co-sponsor, I have been asked by the bill's sponsor to stand and explain what the bill does and take questions from those opposing it.

Those of us who sup-

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port this bill believe that it is important that our state's unemployment system not reward bad behavior like using illegal drugs.

As policymakers, we have a responsibility to do the best we can to ensure that the hard earned dollars of South Carolina's businesses are not wasted on paying unemployment benefits to people who are taking advantage of the system.

We also have an obligation to make sure that benefits are available to pay those who are unemployed for legitimate reasons and not being paid instead to someone who would be employed except for an issue with illegal drugs.

Not passing this bill and sending it to the Senate keeps the status quo.

That is unacceptable.

Who can argue against stopping unemployment benefits to someone who remains out of work solely because of his failing or refusing a drug test offered by a potential employer?

Passing this bill will be another step toward stopping some people from taking advantage of the unemployment system and that is good for South Carolina.