

EMPLOYMENT SECURITY COMMISSION (ESC) – COMMERCE MERGER

Per the Appropriations Act of 2011 and S.B. 532, the Employment Security Commission is directed to transfer from being an independent, dotted-line agency of the Department of Commerce, to being a division(s) within Commerce by November 1, 2011.

S.L. 2011-145, Appropriations Act of 2011 (H.B. 200)

Committee Report Money Item:

123 Employment Security Commission Merger

Reduces expenditures due to the merger of the Employment Security Commission with the Department of Commerce. This reduction is based on an effective date of November 1, 2011 for the transfer. This transfer shall be done in accordance with S.B. 532.

FY 2011-12	FY 2012-13
(\$251,376) R	(\$377,064) R

Special Provision:

TRANSFER EMPLOYMENT SECURITY COMMISSION TO DEPARTMENT OF COMMERCE

SECTION 14.5.(a) The statutory authority, powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Employment Security Commission are transferred to the Department of Commerce with all of the elements of a Type I transfer as defined by G.S. 143A-6.

SECTION 14.5.(b) This section becomes effective November 1, 2011.

S.L. 2011-401, ESC/Jobs Reform (S.B. 532)

- Transfers ESC to Commerce as a Type I transfer
- Makes changes to the structure of ESC and Commerce
 - Creates a Division of Employment Security within Commerce
 - Chairman position is eliminated and Secretary of Commerce is directed to appoint an Assistant Secretary for the new Division
 - The current seven-member Commission is abolished and replaced by a three-member Board of Review.
- Makes changes to parts of employment security law
 - Four provisions were of particular concern to the US Department of Labor and led to the Governor and ESC suspending enforcement of those four provisions.
- Requires that a detailed written report on the merger be submitted by the Secretary of Commerce by June 30, 2012.