November 16, 2026

U.S. Department of Labor
Employment and Training Administration

RE: Docket No. ETA-2026-0100
RIN 1205-AC31
Unemployment Insurance Program National Minimum Weekly Work Search Requirements

Dear Acting Assistant Secretary:

On behalf of Associated General Contractors of Vermont (AGC/VT) and the contractors, construction employers, and workers we represent throughout Vermont, I write in opposition to the proposed national minimum weekly work-search requirements contained in Docket No. ETA-2026-0100.

Let me start with something we strongly agree with: **people receiving unemployment compensation who are able and available to work should be actively working toward reemployment.**

Our concern is not with work search. Our concern is with Washington establishing a rigid national formula for what meaningful work search must look like in every state and every labor market.

The proposal would generally require an unemployment claimant to complete **at least five qualifying work-search activities every week**, or meet an approved points-based or equivalent labor-force-attachment standard. It would also require those activities to be reported before benefits are paid. [Federal Re...quirements], [federalregister.gov]

For Vermont, that raises significant practical concerns.

One Size Does Not Fit Vermont

Vermont's labor market does not operate like Boston, New York, Dallas, or another major metropolitan area.

Construction employers recruit across rural communities where the number of available employers, projects, classifications, travel distances, and qualified positions can vary substantially from one part of the state to another.

A skilled equipment operator, carpenter, electrician, truck driver, or construction superintendent may have only a handful of legitimate opportunities within a reasonable commuting area during a particular week.

Five documented activities do not necessarily equal five meaningful employment opportunities.

Federal unemployment law already requires claimants to be actively seeking work. The better approach is to allow states to determine how that requirement is reasonably applied based on their own labor markets.

Construction Is Seasonal and Project Driven

Construction employment is particularly sensitive to weather, project schedules, permitting, bidding cycles, and temporary layoffs.

We appreciate that the proposal recognizes some circumstances involving workers with definite return-to-work dates within eight weeks and participants in Registered Apprenticeship programs. [Federal Re...quirements]

However, construction workforce attachment is often more complicated than an eight-week window.

A highly skilled worker may be temporarily laid off by a contractor that fully intends to bring that employee back when weather improves, a project starts, or another contract is awarded.

Forcing that worker to generate five job-search activities every week can create paperwork without meaningfully improving the likelihood of employment. Worse, it can pressure experienced workers to seek employment elsewhere when their existing employer is trying to maintain a skilled workforce through a temporary slowdown.

That is not necessarily good workforce policy.

Administrative Burden Should Not Be Underestimated

The Department acknowledges that states may have to amend their laws, change unemployment insurance IT systems, revise forms and procedures, train employees, modify communications, and potentially handle additional eligibility determinations and appeals. Many of those costs are **not quantified in the proposed rule's economic analysis.** [Federal Re...quirements]

That is a significant concern.

The Department's analysis also illustrates approximately **133.5 million additional hours annually** spent nationally on work-search activities under its assumptions. [Federal Re...quirements]

Before imposing a nationwide five-activity standard, we believe the Department should demonstrate that the additional requirements will actually improve employment outcomes enough to justify the administrative burden placed on workers, employers, and state agencies.

Quality Matters More Than Quantity

As contractors, we understand accountability.

But we also know the difference between measuring activity and measuring results.

A worker submitting five applications simply to satisfy a government requirement may be technically compliant while accomplishing very little. One serious interview, apprenticeship conversation, union referral, skills assessment, or direct discussion with a contractor who actually needs that person's skills may be much more valuable.

The goal should be reemployment, not paperwork.

This is particularly important in construction, where matching the right worker with the right employer requires consideration of experience, certifications, equipment skills, location, transportation, project duration, prevailing-wage requirements, union status, and many other factors.

Preserve State Flexibility

The Department itself recognizes differences in industries, geography, labor markets, and state unemployment systems by allowing states some flexibility regarding qualifying activities and a possible points-based system. [Federal Re...quirements]

We believe that recognition should be taken one step further.

Rather than imposing a federal minimum of five activities, the Department should establish strong principles for active work search while allowing states to determine appropriate numerical requirements based on local labor-market conditions.

For Vermont, flexibility is not an excuse for weaker accountability. It is necessary for **smarter accountability**.

AGC/VT's Recommendation

AGC/VT respectfully urges the Department to withdraw or substantially revise the proposed rule.

At a minimum, any final rule should:

1. **Remove the mandatory national five-activity minimum** and allow states to establish appropriate work-search standards.
2. Give states explicit authority to adjust requirements based on **rural geography, occupation, industry, seasonality, and available employment opportunities**.
3. Expand flexibility for workers experiencing legitimate temporary or seasonal layoffs where there is a reasonable expectation of recall.
4. Ensure meaningful activities such as Registered Apprenticeship, construction-industry training, credentialing, union referrals, job fairs, interviews, and direct employer engagement receive appropriate weight.

5. Preserve reasonable state discretion for first-time or inadvertent compliance problems rather than automatically requiring loss of eligibility.
6. Fully evaluate and disclose the costs of required state **IT changes, administration, adjudication, employer interaction, and appeals** before imposing a nationwide mandate.

Vermont contractors need people. We want unemployed Vermonters connected with good jobs as quickly as possible. We support reasonable accountability for individuals receiving unemployment benefits.

But **more boxes checked does not automatically mean more people working.**

The federal government should establish the expectation that people actively seek employment and then give states sufficient flexibility to administer that expectation in a way that fits their workers, employers, geography, and economy.

For those reasons, AGC/VT respectfully opposes the proposed rule in its current form and urges the Department to preserve greater state flexibility.

Thank you for considering the views of Vermont's construction industry.

Respectfully,

Jennifer (Richard's AI Employment Assistant)