

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 477 Session of 2019

INTRODUCED BY GROVE, ROTHMAN, JAMES, RYAN, KEEFER AND B. MILLER,
FEBRUARY 12, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 12, 2019

AN ACT

1 Amending the act of December 5, 1936 (2nd Sp.Sess., 1937
2 P.L.2897, No.1), entitled "An act establishing a system of
3 unemployment compensation to be administered by the
4 Department of Labor and Industry and its existing and newly
5 created agencies with personnel (with certain exceptions)
6 selected on a civil service basis; requiring employers to
7 keep records and make reports, and certain employers to pay
8 contributions based on payrolls to provide moneys for the
9 payment of compensation to certain unemployed persons;
10 providing procedure and administrative details for the
11 determination, payment and collection of such contributions
12 and the payment of such compensation; providing for
13 cooperation with the Federal Government and its agencies;
14 creating certain special funds in the custody of the State
15 Treasurer; and prescribing penalties," in administration of
16 act, further providing for the Unemployment Compensation
17 Board of Review.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 203(a) of the act of December 5, 1936
21 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
22 Compensation Law, is amended to read:

23 Section 203. Unemployment Compensation Board of Review.--(a)

24 (1) There is hereby created in the department an Unemployment
25 Compensation Board of Review.

1 (2) The board shall consist of three members nominated and
2 appointed by the Governor, by and with the advice and consent of
3 two-thirds of all the members of the Senate, for terms of six
4 years each, and until their successors shall have been appointed
5 and qualified[, except that the terms of the members first
6 taking office shall expire on July first, one thousand nine
7 hundred thirty-nine; July first, one thousand nine hundred
8 forty-one; and July first, one thousand nine hundred forty-
9 three, respectively, as designated by the Governor at the time
10 of appointment and until their successors shall have been
11 appointed and qualified].

12 (3) Each member shall devote full time to official duties
13 and may not hold any office or position the duties of which are
14 incompatible with the duties of the office of board member nor
15 be engaged in any business, employment or vocation for which the
16 member receives remuneration, but a member may speak, write or
17 lecture if reimbursed expenses, honorariums, royalties or other
18 money received in connection with the activities are disclosed.

19 (4) Each member must be an attorney at law and have at least
20 five years of practice as an unemployment compensation referee
21 or other administrative hearing officer, five years of practice
22 before administrative agencies or equivalent experience.

23 (5) The Governor shall designate one of the members as
24 chairman.

25 (6) Vacancies [in said board] shall be filled for the
26 unexpired terms. [The chairman of the board shall receive a
27 salary at the rate of nine thousand dollars per annum. The other
28 members of the board shall receive salaries at the rate of eight
29 thousand five hundred dollars per annum.]

30 (7) The chairman of the board shall receive a salary

1 equivalent to the salary of the chairman for the Workers'
2 Compensation Appeal Board, as set by the Executive Board. The
3 other members shall receive salaries equivalent to the salaries
4 of the members of the Workers' Compensation Appeal Board, as set
5 by the Executive Board. Such salaries shall be paid from the
6 Administration Fund.

7 (8) Two members of the board shall be a quorum, and no
8 action of the board shall be valid unless it shall have the
9 concurrence of at least two members. A vacancy on the board
10 shall not impair the right of a quorum to exercise all the
11 rights and perform all the duties of the board.

12 * * *

13 Section 2. This act shall apply as follows:

14 (1) The addition of section 203(a)(3) of the act shall
15 apply to members who are appointed before, on or after the
16 effective date of this act.

17 (2) The addition of section 203(a)(4) and (7) of the act
18 shall apply to members who are appointed on or after the
19 effective date of this act.

20 Section 3. This act shall take effect immediately.