

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2499 Session of
1978

INTRODUCED BY MADIGAN, M. H. GEORGE, ARTHURS, NOYE, MOWERY AND
WEIDNER, MAY 31, 1978

REFERRED TO COMMITTEE ON LABOR RELATIONS, MAY 31, 1978

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," changing provisions
16 relating to benefit rates.

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

19 Section 1. Clause (3) of subsection (a) of section 404, act
20 of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known
21 as the "Unemployment Compensation Law," amended September 27,
22 1971 (P.L.460, No.108), is amended to read:

23 Section 404. Rate and Amount of Compensation.--Compensation
24 shall be paid to each eligible employe in accordance with the
25 following provisions of this section except that compensation

1 payable with respect to weeks ending in benefit years which
2 begin prior to the first day of October, one thousand nine
3 hundred seventy-one shall be paid on the basis of the provisions
4 of this section in effect at the beginning of such benefit
5 years.

6 (a) * * *

7 (3) If the base year wages of an employe whose weekly
8 benefit rate has been determined under clause (1) of paragraph
9 (1) of this subsection, or redetermined under paragraph (2) of
10 this subsection, as the case may be, are insufficient to qualify
11 him under subsection (c) of this section but are sufficient to
12 qualify him for [any one of] the next [four] lower weekly
13 benefit [rates] rate, his weekly benefit rate shall be
14 redetermined at [the highest of such next lower rates] such next
15 lower rate.

16 * * *

17 Section 2. This act shall take effect in 60 days.