

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2703

 Session of
1996

INTRODUCED BY DURHAM, MICOZZIE, ADOLPH, CIVERA, RAYMOND AND
GANNON, JUNE 12, 1996

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 18, 1996

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," further providing for
16 ~~benefits. DEFINITIONS, FOR DETERMINATION OF CONTRIBUTION~~ <—
17 RATES AND FOR EMPLOYER RESERVE ACCOUNTS.

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

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

23 ~~Section 409. Additional benefits for certain employes.~~
24 ~~Notwithstanding any provision of this act, an employe who meets~~
25 ~~the following shall be eligible for an additional twenty four~~

1 ~~weeks of benefits:~~

2 ~~(1) Is one of two hundred or more employees discharged from~~
3 ~~one industrial plant within a thirty day period.~~

4 ~~(2) The discharge resulted from the closing of the plant or~~
5 ~~a major portion thereof.~~

6 ~~Section 2. This act shall take effect immediately.~~

7 SECTION 1. SECTION 4 OF THE ACT OF DECEMBER 5, 1936 (2ND <—
8 SP.SESS., 1937 P.L.2897, NO.1), KNOWN AS THE UNEMPLOYMENT
9 COMPENSATION LAW, IS AMENDED BY ADDING A SUBSECTION TO READ:

10 SECTION 4. DEFINITIONS.--THE FOLLOWING WORDS AND PHRASES, AS
11 USED IN THIS ACT, SHALL HAVE THE FOLLOWING MEANINGS, UNLESS THE
12 CONTEXT CLEARLY REQUIRES OTHERWISE.

13 * * *

14 (H.1) "DISASTER" MEANS A FIRE, FLOOD OR OTHER PHYSICAL
15 OCCURRENCE BEYOND THE EMPLOYER'S CONTROL, CAUSED NATURALLY OR
16 ACCIDENTALLY.

17 * * *

18 SECTION 2. SECTION 302(A) OF THE ACT IS AMENDED BY ADDING A
19 PARAGRAPH TO READ:

20 SECTION 302. ESTABLISHMENT AND MAINTENANCE OF EMPLOYER'S
21 RESERVE ACCOUNTS.--THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN
22 FOR EACH EMPLOYER A SEPARATE EMPLOYER'S RESERVE ACCOUNT IN THE
23 FOLLOWING MANNER:

24 (A) * * *

25 (2.1) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF
26 THIS SUBSECTION, IF THE DEPARTMENT FINDS THAT AN INDIVIDUAL WAS
27 SEPARATED FROM HIS MOST RECENT WORK FOR SUCH EMPLOYER DUE TO A
28 CESSATION OF BUSINESS OF 18 MONTHS OR LESS CAUSED BY A DISASTER,
29 COMPENSATION PAID TO SUCH INDIVIDUAL WITH RESPECT TO ANY WEEK OF
30 UNEMPLOYMENT OCCURRING SUBSEQUENT TO SUCH SEPARATION SHALL NOT

1 BE CHARGED TO THE ACCOUNT OF SUCH EMPLOYER; PROVIDED, SUCH
2 EMPLOYER HAS FILED A NOTICE WITH THE DEPARTMENT IN ACCORDANCE
3 WITH ITS RULES AND REGULATIONS AND WITHIN THE TIME LIMITS
4 PRESCRIBED THEREIN.

5 * * *

6 SECTION 3. THIS ACT SHALL APPLY TO DISASTERS WHICH OCCUR ON
7 OR AFTER THE EFFECTIVE DATE OF THIS ACT.

8 SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.