

AMENDMENTS TO HOUSE BILL NO. 1852

Sponsor: REPRESENTATIVE F. KELLER

Printer's No. 3094

1 Amend Bill, page 1, line 16, by inserting after

2 "DEFINITIONS,"

3 for relief from charges,

4 Amend Bill, page 1, line 18, by inserting after

5 "COMPENSATION,"

6 for ineligibility for compensation,

7 Amend Bill, page 2, by inserting between lines 29 and 30

8 Section 2. Section 302.1(a)(1) and (c)(1) of the act, added
9 June 17, 2011 (P.L.16, No.6), are amended to read:

10 Section 302.1. Relief from Charges.--Notwithstanding any
11 other provisions of this act assigning charges for compensation
12 paid to employes, the department shall relieve an employer of
13 charges for compensation in accordance with this section and
14 section 213 of this act.

15 (a) Circumstances allowing relief:

16 (1) If an individual was separated from his most recent work
17 for an employer due to being discharged for willful misconduct
18 connected with that work, or due to his leaving that work
19 without good cause attributable to his employment, or due to his
20 being separated from such work under conditions which would
21 result in disqualification for benefits under the provisions of
22 section 3 or 402(e.1) and (e.2) of this act, the employer shall
23 be relieved of charges for compensation paid to the individual
24 with respect to any week of unemployment occurring subsequent to
25 such separation. Relief from charges under this paragraph
26 terminates if the employe returns to work for the employer.

27 * * *

28 (c) Relief from charges without a request:

29 (1) If a claimant is determined ineligible for benefits
30 under section 3 or 402(b), (e) [or], (e.1) or (e.2) of this act
31 pursuant to a notice of determination that has become final, the
32 department shall grant relief from charges in accordance with
33 subsection (a)(1) to the employer from whom the claimant was
34 separated, beginning with the earliest week for which the
35 claimant is eligible for benefits following the week or weeks

1 governed by the notice of determination.

2 * * *

3 Amend Bill, page 2, line 30, by striking out "2" and
4 inserting

5 3

6 Amend Bill, page 3, line 10, by striking out "3" and
7 inserting

8 4

9 Amend Bill, page 3, line 18, by inserting after "402(E.1)"
10 and (e.2)

11 Amend Bill, page 3, by inserting between lines 27 and 28

12 Section 5. Section 402 of the act is amended by adding a
13 subsection to read:

14 Section 402. Ineligibility for Compensation.--An employe
15 shall be ineligible for compensation for any week--

16 * * *

17 (e.2) In which his unemployment is due to discharge or
18 temporary suspension from work for any of the following reasons:

19 (1) Disregard of any reasonable workplace rule or work-
20 related government regulation or law of which the employe was
21 aware.

22 (2) The deliberate damage to property of the employer or
23 another employe or the theft of the employer's or another
24 employe's property.

25 (3) Threatening a coworker or supervisor with physical harm
26 or threatening to harm the interests of the employer.

27 (4) Disregard of a supervisor's reasonable directives or
28 orders or acts of negligence which indicate substantial
29 disregard for the employer's interests.

30 (5) Failure to maintain a valid license or certificate that
31 has been issued by a Federal or Commonwealth agency or political
32 subdivision and which is a requirement of employment, unless
33 such failure was for reasons beyond the control of the employe.

34 * * *

35 Amend Bill, page 3, line 28, by striking out "4" and
36 inserting

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38 Amend Bill, page 6, line 10, by striking out "5" and
39 inserting

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1 Amend Bill, page 7, line 13, by striking out "6" and
2 inserting

3 8

4 Amend Bill, page 7, line 26, by striking out "7" and
5 inserting

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7 Amend Bill, page 8, line 20, by striking out "8" and
8 inserting

9 10

10 Amend Bill, page 9, by inserting between lines 1 and 2

11 (4) The addition of section 402(e.2) of the act shall
12 apply to initial claims filed on or after July 1, 2012.

13 Amend Bill, page 9, line 2, by striking out "(4)" and
14 inserting

15 (5)

16 Amend Bill, page 9, line 5, by striking out "(5)" and
17 inserting

18 (6)

19 Amend Bill, page 9, line 9, by striking out "(6)" and
20 inserting

21 (7)

22 Amend Bill, page 9, line 12, by striking out "(7)" and
23 inserting

24 (8)

25 Amend Bill, page 9, line 15, by striking out "(8)" and
26 inserting

27 (9)

28 Amend Bill, page 9, line 18, by striking out "9" and
29 inserting

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