

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 105

Session of
1987

INTRODUCED BY LAUGHLIN, DOMBROWSKI, OLASZ, BELFANTI, LEVDANSKY,
KOSINSKI, VEON, SERAFINI, CAPPABIANCA AND TRUMAN, FEBRUARY 3,
1987

REFERRED TO COMMITTEE ON LABOR RELATIONS, FEBRUARY 3, 1987

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 defining "base
16 year"; and providing for an informational and instructional
17 meeting for compensation applicants and for failure to report
18 remunerations.

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

21 Section 1. Section 4(a) of the act of December 5, 1936 (2nd
22 Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
23 Compensation Law, amended July 10, 1980 (P.L.521, No.108), is
24 amended to read:

25 Section 4. Definitions.--The following words and phrases, as

1 used in this act, shall have the following meanings, unless the
2 context clearly requires otherwise.

3 (a) "Base year" means the first four of the last five
4 completed calendar quarters immediately preceding the first day
5 of an individual's benefit year unless an individual has
6 received compensation for total or partial disability under the
7 provisions of the act of June 2, 1915 (P.L.736, No.338), known
8 as "The Pennsylvania Workmen's Compensation Act," in which case
9 "base year" shall mean the first four of the last five completed
10 calendar quarters immediately preceding the first day of the
11 period of disability.

12 * * *

13 Section 2. The act is amended by adding sections to read:

14 Section 202.1. Meeting.--Every employe who has applied for
15 compensation pursuant to this act shall be provided with the
16 opportunity to attend an informational and instructional meeting
17 during the one-week waiting period. Such meeting shall be
18 conducted by employes of the department and shall consist of an
19 explanation of all aspects of this act and all administrative
20 policies which relate to eligibility for receiving benefits,
21 including the partial benefit credit and the definition of self-
22 employment.

23 Section 806. Failure to Report.--(a) Notwithstanding any
24 other provision of this act, if an eligible employe fails or
25 neglects to report to the department remuneration which would
26 constitute a partial benefit credit, such failure or neglect
27 shall not serve as a basis for terminating or reducing
28 compensation payable to the employe, the imposition of penalty
29 weeks against the employe, or any other civil, criminal or
30 administrative penalty provided for in this act.

1 (b) Any person who has suffered a reduction or termination
2 of benefits subsequent to January 1, 1984, as a result of
3 conduct as described in subsection (a) shall be entitled to
4 receive such benefits. The Secretary of Labor and Industry shall
5 be responsible for identifying and notifying those persons
6 entitled to receive compensation as a result of this section.

7 Section 3. This act shall take effect immediately.