

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 413

Session of  
1975

INTRODUCED BY MESSRS. VALICENTI, MUSTO, WANSACZ, McLANE,  
DeMEDIO, DOMBROWSKI, ABRAHAM, VANN, MISCEVICH, MRKONIC,  
GIAMMARCO, ROMANELLI, PERRY, SHUPNIK, BONETTO, McGRAW, IRVIS,  
MRS. GILLETTE, MRS. KERNICK, MRS. TOLL, MRS. KELLY, MESSRS.  
GARZIA, FEE, BRUNNER, ZELLER, WALSH, A. K. HUTCHINSON,  
TAYLOR, PETRARCA, BRADLEY, LaMARCA, BELLOMINI, STOUT,  
PRENDERGAST, BLACKWELL, RICHARDSON, CAPUTO, FLAHERTY, M. M.  
MULLEN, LAUDADIO, NOVAK AND REED, FEBRUARY 11, 1975

REFERRED TO COMMITTEE ON LABOR RELATIONS, FEBRUARY 11, 1975

AN ACT

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

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

19 Section 1. Subsection (e) of section 401, act of December 5,  
20 1936 (1937 P.L.2897, No.1), known as the "Unemployment  
21 Compensation Law," amended December 5, 1974 (No.262), is amended  
22 to read:

1       Section 401.   Qualifications Required to Secure  
2   Compensation.--Compensation shall be payable to any employe who  
3   is or becomes unemployed, and who--

4       \* \* \*

5       (e)   [Has been unemployed for a waiting period of one week,  
6   unless the Governor upon the occurrence of a disaster declares  
7   that a state of emergency exists, in which event the department  
8   may suspend the waiting week requirement with respect to  
9   unemployment resulting directly from such disaster.]

10       No week shall be counted as a week of unemployment for the  
11   purposes of this [subsection] section (1) unless it occurs  
12   within the benefit year which includes the week with respect to  
13   which such employe claims compensation, or (2) if compensation  
14   has been paid or is payable with respect thereto, or (3) unless  
15   the employe was eligible for compensation with respect thereto  
16   under all other provisions of this section and was not  
17   disqualified with respect thereto under section 402(a), (b),  
18   (d), (e), (f), (g), [and] (h) and (i). [Provided,  
19   notwithstanding any other provision of this subsection, That  
20   when an individual has been paid benefits in his current benefit  
21   year equal to four times his weekly benefit amount, he shall be  
22   eligible to receive benefits on his waiting period claim in  
23   accordance with the terms of this act.]

24       \* \* \*

25       Section 2.   The first paragraph of subsection (c) of section  
26   501 of the act, amended May 29, 1945 (P.L.1145, No.408), is  
27   amended to read:

28       Section 501.   Determination of Compensation Appeals.--

29       \* \* \*

30       (c)   The department shall promptly examine each claim [for

1 waiting week credit and each claim] for compensation and on the  
2 basis of the facts found by it shall determine whether or not  
3 the claim is valid.

4 \* \* \*

5 Section 3. This act shall take effect in 60 days.