

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2180** Session of  
1976

INTRODUCED BY RHODES, VALICENTI, GARZIA AND CAPUTO,  
MARCH 1, 1976

REFERRED TO COMMITTEE ON LABOR RELATIONS, MARCH 1, 1976

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 eligibility of employees who will not cross picket lines.

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

19 Section 1. Subsection (d) of section 402, act of December 5,  
20 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the  
21 "Unemployment Compensation Law," amended May 23, 1949 (P.L.1738,  
22 No.530), is amended to read:

23 Section 402. Ineligibility for Compensation.--An employe  
24 shall be ineligible for compensation for any week--

25 \* \* \*

1       (d) In which his unemployment is due to a stoppage of work,  
2 which exists because of a labor dispute (other than a lock-out)  
3 at the factory, establishment or other premises at which he is  
4 or was last employed: Provided, That this subsection shall not  
5 apply if it is shown that (1) he is not participating in, or  
6 directly interested in, the labor dispute which caused the  
7 stoppage of work, and (2) he is not a member of an organization  
8 which is participating in, or directly interested in, the labor  
9 dispute which caused the stoppage of work, and (3) he does not  
10 belong to a grade or class of workers of which, immediately  
11 before the commencement of the stoppage, there were members  
12 employed at the premises at which the stoppage occurs, any of  
13 whom are participating in, or directly interested in, the  
14 dispute or (4) he declines to cross a picket line.

15       \* \* \*

16       Section 2. This act shall take effect immediately.