

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1542 Session of  
2007

INTRODUCED BY QUINN, BOYD, CAPPELLI, CLYMER, CUTLER, DENLINGER,  
EVERETT, FAIRCHILD, FLECK, GEIST, GILLESPIE, GINGRICH, GRELL,  
HARHART, HENNESSEY, HERSHEY, KAUFFMAN, M. KELLER, KORTZ,  
MARSHALL, McILHATTAN, MICOZZIE, R. MILLER, MILNE, MOUL,  
MOYER, MURT, PEIFER, PICKETT, PYLE, REED, REICHLEY, RUBLEY,  
SCAVELLO, SCHRODER, SOLOBAY, STERN, R. STEVENSON, TRUE,  
TURZAI AND VULAKOVICH, JUNE 18, 2007

REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 18, 2007

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 qualifications required to secure compensation.

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

19 Section 1. Section 401(b) of the act of December 5, 1936  
20 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment  
21 Compensation Law, amended July 9, 1976 (P.L.842, No.147), is  
22 amended to read:

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

4       \* \* \*

5       [(b)   Has registered for work at, and thereafter continued to  
6   report to an employment office in accordance with such  
7   regulations as the secretary may prescribe, except that the  
8   secretary may by regulation waive or alter either or both of the  
9   requirements of this clause as to individuals attached to  
10   regular jobs and as to such other types of cases or situations  
11   with respect to which he finds that compliance with such  
12   requirements would be oppressive or would be inconsistent with  
13   the purposes of the act: Provided, however, That no such  
14   regulation shall conflict with section four hundred and one (c)  
15   of this act;]

16       (b)   Is making an active search for suitable employment. For  
17   the purposes of this subsection, the term "active search" shall  
18   mean registration for employment search services offered by  
19   Pennsylvania CareerLink system, posting a resume on the system's  
20   database and applying for positions listed on the system's  
21   database which offer employment and wages similar to those the  
22   claimant had prior to their unemployment and which are within a  
23   sixty (60) mile commuting distance. The secretary may establish  
24   additional criteria to define the term "active search" through  
25   promulgating regulations. The Pennsylvania CareerLink system  
26   will provide documentation, as the secretary deems is  
27   appropriate, to the Pennsylvania Unemployment Compensation  
28   Service Center system so they can conduct the necessary cross  
29   reference checks.

30       \* \* \*

1       Section 2.   This act shall take effect in 60 days.