

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2695 Session of 2010

INTRODUCED BY QUINN, BENNINGHOFF, CHRISTIANA, CLYMER, CREIGHTON, CUTLER, DENLINGER, EVERETT, FLECK, GINGRICH, GROVE, HARPER, HELM, KAUFFMAN, KNOWLES, McILVAINE SMITH, MILLARD, MILLER, MOUL, MUSTIO, OBERLANDER, PASHINSKI, PEIFER, PERRY, PICKETT, REICHLEY, ROAE, ROCK, SAYLOR, STEVENSON, TALLMAN AND VULAKOVICH, SEPTEMBER 14, 2010

REFERRED TO COMMITTEE ON LABOR RELATIONS, SEPTEMBER 14, 2010

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; and providing
17 for applicability.

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

20 Section 1. Section 401(b) of the act of December 5, 1936
21 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
22 Compensation Law, amended July 9, 1976 (P.L.842, No.147), is
23 amended 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 (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;] Is making an active search for suitable

16 employment. For the term "active search" the department shall
17 require, at minimum, registration for employment search services
18 offered by Pennsylvania CareerLink system within thirty (30)
19 days of the initial application for benefits, posting a resume
20 on the system's database and applying for positions listed on
21 the system's database which offer employment and wages similar
22 to those the claimant had prior to his unemployment and which
23 are within a forty-five (45) minute commuting distance. The
24 secretary may establish additional criteria to define the term
25 "active search" through regulation. The Pennsylvania CareerLink
26 system shall provide documentation, as the secretary deems
27 appropriate, to the Pennsylvania Unemployment Compensation
28 Service Center system so the system can conduct the necessary
29 cross reference checks;

30 * * *

1 Section 2. This act is applicable to initial claims filed on
2 or after July 1, 2011.

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