
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2820 Session of
2020

INTRODUCED BY ROZZI, McNEILL, McCARTER, DRISCOLL, SANCHEZ,
MADDEN, HOWARD, KINSEY, LEE, HILL-EVANS, DeLUCA, KENYATTA,
CIRESI, INNAMORATO, GREEN, NEILSON AND READSHAW,
AUGUST 28, 2020

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, AUGUST 28, 2020

AN ACT

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

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

19 Section 1. Section 404(d) (1) of the act of December 5, 1936
20 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
21 Compensation Law, is amended to read:

22 Section 404. Rate and Amount of Compensation.--Compensation
23 shall be paid to each eligible employe in accordance with the
24 following provisions of this section except that compensation

1 payable with respect to weeks ending in benefit years which
2 begin prior to the first day of January 1989 shall be paid on
3 the basis of the provisions of this section in effect at the
4 beginning of such benefit years.

5 * * *

6 (d) (1) Notwithstanding any other provisions of this
7 section each eligible employe who is unemployed with respect to
8 any week ending subsequent to July 1, 1980 shall be paid, with
9 respect to such week, compensation in an amount equal to his
10 weekly benefit rate less the total of (i) the remuneration, if
11 any, paid or payable to him with respect to such week for
12 services performed which is in excess of his partial benefit
13 credit, (ii) vacation pay, if any, which is in excess of his
14 partial benefit credit, except when paid to an employe who is
15 permanently or indefinitely separated from his employment and
16 (iii) the amount of severance pay that is attributed to the
17 week. Money paid or payable to an eligible claimant for services
18 performed as a poll worker in this Commonwealth shall not be
19 included as remuneration under this subsection and the amount of
20 such money paid or payable shall not lessen, compromise or
21 jeopardize the weekly benefit of the eligible claimant for the
22 week in which poll worker services are performed. As used in
23 this clause, "poll worker" means any of the following: a clerk
24 recording the number of votes; an inspector of elections who
25 admits electors to vote; a machine inspector who attends to
26 voting machinery; and an overseer who is present with the
27 officers of elections as votes are counted, returns made and
28 signed and votes recorded under the act of June 3, 1937
29 (P.L.1333, No.320), known as the "Pennsylvania Election Code."

30 * * *

1 Section 2. This act shall take effect immediately.