

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2468 Session of  
1976

INTRODUCED BY PITTS, JUNE 3, 1976

REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 3, 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 defining  
16 unemployed.

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

19 Section 1. Subsection (u) of section 4, act of December 5,  
20 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the  
21 "Unemployment Compensation Law," amended March 24, 1964  
22 (Sp.Sess., P.L.53, No.1), is amended to read:

23 Section 4. Definitions.--The following words and phrases, as  
24 used in this act, shall have the following meanings, unless the  
25 context clearly requires otherwise:

1       \* \* \*

2       (u) "Unemployed."--An individual shall be deemed unemployed  
3 (I) with respect to any week (i) during which he performs no  
4 services for which remuneration is paid or payable to him and  
5 (ii) with respect to which no remuneration is paid or payable to  
6 him, or (II) with respect to any week of less than his full-time  
7 work if the remuneration paid or payable to him with respect to  
8 such week is less than his weekly benefit rate plus his partial  
9 benefit credit.

10       Notwithstanding any other provisions of this act, an employe  
11 who is unemployed during a plant shutdown for vacation purposes  
12 shall not be deemed ineligible for compensation merely by reason  
13 of the fact that he or his collective bargaining agents agreed  
14 to the vacation.

15       No employe shall be deemed eligible for compensation during a  
16 plant shutdown for vacation who receives directly or indirectly  
17 any funds from the employer as vacation allowance.

18       An individual shall be deemed unemployed notwithstanding his  
19 receipt of benefits in addition to or as part of severance pay  
20 from employment which has been terminated.

21       \* \* \*

22       Section 2. This act shall take effect immediately.