

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 19

Session of
1999

INTRODUCED BY PHILLIPS, FAIRCHILD, HALUSKA, CLYMER, FARGO,
NICKOL, SATHER, SCHULER, SEYFERT, STERN, RAMOS, HENNESSEY,
CLARK, RUBLEY, ALLEN, L. I. COHEN, S. MILLER, YOUNGBLOOD AND
E. Z. TAYLOR, OCTOBER 26, 1999

REFERRED TO COMMITTEE ON LABOR RELATIONS, OCTOBER 26, 1999

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 administration of employers' reserve accounts.

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

19 Section 1. Section 302(a)(2) 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 21, 1983 (P.L.68, No.30), is
22 amended to read:

23 Section 302. Establishment and Maintenance of Employer's
24 Reserve Accounts.--The department shall establish and maintain

1 for each employer a separate employer's reserve account in the
2 following manner:

3 (a) * * *

4 (2) Notwithstanding the provisions of paragraph (1) of this
5 subsection, if the department finds that an individual
6 subsequent to separation from his work is engaged in part-time
7 work for a base year employer, other than a base year employer
8 from whom he has separated, compensation paid to such individual
9 with respect to any week of unemployment occurring subsequent to
10 such separation [and while such part-time work continues without
11 material change,] shall not be charged to the account of such
12 part-time employer[; provided,] if such part-time employer has
13 filed a notice with the department in accordance with its rules
14 and regulations and within the time limits prescribed therein[.]
15 and:

16 (A) such part-time work continues without material change;
17 or

18 (B) such part-time work is offered on an irregular, as
19 needed basis, in agricultural employment, and there is a
20 reasonable expectation that such employment will continue to be
21 offered to the individual.

22 * * *

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