

1 H.746

2 Introduced by Representative LaBounty of Lyndon

3 Referred to Committee on

4 Date:

5 Subject: Labor; unemployment compensation; eligibility; employment; partial
6 unemployment benefits

7 Statement of purpose of bill as introduced: This bill proposes to provide that
8 wages earned for work that would not qualify an individual to receive
9 unemployment insurance benefits shall not be counted when determining an
10 individual's weekly unemployment insurance benefit amount, and to make
11 individuals who work for an educational institution in any capacity other than
12 an instructional, research, or principal administrative capacity eligible for
13 unemployment insurance benefits between academic terms.

14 An act relating to unemployment insurance eligibility and benefits

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 21 V.S.A. § 1301 is amended to read:

17 § 1301. DEFINITIONS

18 As used in this chapter:

19 * * *

20 (9) "Total and partial unemployment."

1 Sec. 3. 21 V.S.A. § 1343 is amended to read:

2 § 1343. CONDITIONS

3 * * *

4 (c) ~~After March 31, 1984 benefits~~ Benefits are payable on the basis of
5 service in employment as defined in subdivisions 1301(6)(A)(ix) and (x) of
6 this title, in the same amount, on the same terms, and subject to the same
7 conditions as benefits payable on the basis of other service subject to this
8 chapter, except that:

9 (1) With respect to services performed in an instructional, research, or
10 principal administrative capacity for an educational institution, benefits shall
11 not be payable on the basis of ~~such~~ the services for any week of unemployment
12 commencing during the period between two successive academic years or
13 terms (or, when an agreement provides instead for a similar period between
14 two regular but not successive terms, during such period) or during a period of
15 paid sabbatical leave provided for in the individual's contract, to any
16 individual if ~~such~~ the individual performs ~~such~~ the services in the first of ~~such~~
17 the academic years or terms and if there is a contract or reasonable assurance
18 that ~~such~~ the individual will perform services in any such capacity for any
19 educational institution in the second of ~~such~~ the academic years or terms.

20 (2) ~~With respect to services performed in any other capacity for an~~
21 ~~educational institution benefits shall not be payable on the basis of such~~

1 ~~services to any individual for any week of unemployment that commences~~
2 ~~during a period between two successive academic years or terms if such~~
3 ~~individual performs such services in the first of such academic years or terms~~
4 ~~and there is a reasonable assurance that such individual will perform such~~
5 ~~services for any educational institution in the second of such academic years or~~
6 ~~terms, except that if benefits are denied to any individual under this~~
7 ~~subdivision and such individual was not offered an opportunity to perform~~
8 ~~such services for the educational institution for the second of such academic~~
9 ~~years or terms, such individual shall be entitled to a retroactive payment of the~~
10 ~~benefits for each week for which the individual filed a timely claim for benefits~~
11 ~~and for which benefits were denied solely by reason of this subdivision.~~

12 [Repealed.]

13 (3) With respect to any services described in subdivision (1) ~~or (2)~~ of
14 this subsection, benefits shall not be payable on the basis of services in any
15 such capacities to any individual for any week that commences during an
16 established and customary vacation period or holiday recess if ~~such~~ the
17 individual performs ~~such~~ the services in the period immediately before ~~such~~
18 the vacation period or holiday recess, and there is a reasonable assurance that
19 ~~such~~ the individual will perform ~~such~~ the services in the period immediately
20 following ~~such~~ the vacation period or holiday recess.

