

1 S.15

2 Introduced by Senator Sirotkin

3 Referred to Committee on

4 Date:

5 Subject: Labor; unemployment compensation; base period

6 Statement of purpose of bill as introduced: This bill proposes to permit an
7 individual to reuse wages from the base period for the prior benefit year to
8 qualify for unemployment benefits after his or her workers' compensation
9 benefits terminate if he or she was determined to be ineligible for
10 unemployment benefits during the prior benefit year because he or she was
11 unable to work due to a work-related injury.

12 An act relating to unemployment compensation

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

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

15 § 1301. DEFINITIONS

16 The following words and phrases, as used in this chapter, shall have the
17 following meanings unless the context clearly requires otherwise:

18 * * *

19 (17)(A) For benefit years beginning prior to January 3, 1988, the "base
20 period" is the period of 52 weeks ending with the day immediately preceding

1 the first day of a claimant's benefit year. ~~Such~~ The base period shall be
2 extended by one week for each week, not to exceed 18, in which the claimant
3 had no earnings because of sickness or disability as certified by a duly licensed
4 physician.

5 * * *

6 (D)(i) ~~All~~ Except as otherwise provided in subdivision (ii) of this
7 subdivision (17)(D), all wages which that fall within the "base period" of valid
8 claims under this ~~section~~ subdivision (17) shall not be available for reuse in
9 qualifying for any subsequent benefit years under section 1338 or 1318 of this
10 title.

11 (ii) An otherwise eligible claimant who has not received
12 unemployment compensation benefits in relation to his or her current claim
13 and who is determined to be ineligible for benefits pursuant to subsection
14 1343(a) of this chapter because he or she is unable to work due to an accident
15 or injury resulting in a temporary total disability for which the claimant is
16 eligible to receive workers' compensation benefits under chapter 9 of this title
17 may withdraw his or her claim for unemployment compensation benefits.
18 Notwithstanding subdivision (i) of this subdivision (17)(D), all wages that fell
19 within the base period used to establish the withdrawn claim shall be available
20 for use by the claimant in establishing a claim pursuant to subsection 1338(d)
21 of this chapter.

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Sec. 2. EFFECTIVE DATE

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This act shall take effect on July 1, 2019.