

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO SENATE BILL NO. 1109

Sponsor:

Printer's No. 1461

1 Amend Bill, page 1, line 16, by inserting after "for" where
2 it occurs the first time

3 qualifications required to secure compensation and for

4 Amend Bill, page 1, lines 19 through 21, by striking out all
5 of said lines and inserting

6 Section 1. Section 401(e) (1) of the act of December 5, 1936
7 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
8 Compensation Law, is amended and the section is amended by
9 adding a subsection to read:

10 Section 401. Qualifications Required to Secure
11 Compensation.--Compensation shall be payable to any employe who
12 is or becomes unemployed, and who--

13 * * *

14 (e) (1) [Has] Except as provided in subsection (h), has
15 been unemployed for a waiting period of one week.

16 * * *

17 (h) For a claim for a period of unemployment beginning after
18 the effective date of this subsection, is unemployed due to a
19 stoppage of work caused by a labor dispute: Provided, That the
20 claimant shall not be provided benefits for a thirty-day period
21 following a stoppage of work caused by a labor dispute other
22 than a lockout.

23 Section 2. Section 402(a), (b) and (d) of the act, amended
24 November 3, 2022 (P.L.2153, No.156), are amended to read:

25 Amend Bill, page 3, by inserting between lines 5 and 6

26 (b) In which his unemployment is due to voluntarily leaving
27 work without cause of a necessitous and compelling nature,
28 irrespective of whether or not such work is in "employment" as
29 defined in this act: Provided, That a voluntary leaving work
30 because of a disability if the employer is able to provide other
31 suitable work, shall be deemed not a cause of a necessitous and
32 compelling nature: And provided further, That no employe shall
33 be deemed to be ineligible under this subsection where as a
34 condition of continuing in employment such employe would be
35 required to join or remain a member of a company union or to

1 resign from or refrain from joining any bona fide labor
2 organization, or to accept wages, hours or conditions of
3 employment not desired by a majority of the employees in the
4 establishment or the occupation, or would be denied the right of
5 collective bargaining under generally prevailing conditions, and
6 that in determining whether or not an employe has left his work
7 voluntarily without cause of a necessitous and compelling
8 nature, the department shall give consideration to the same
9 factors, insofar as they are applicable, provided, with respect
10 to the determination of suitable work under section four (t):
11 And provided further, That the provisions of this subsection
12 shall not apply in the event of a stoppage of work which exists
13 because of a labor dispute within the meaning of subsection
14 (d)]. Provided further, That no otherwise eligible claimant
15 shall be denied benefits for any week in which his unemployment
16 is due to exercising the option of accepting a layoff, from an
17 available position pursuant to a labor-management contract
18 agreement, or pursuant to an established employer plan, program
19 or policy: Provided further, That a claimant shall not be
20 disqualified for voluntarily leaving work, which is not suitable
21 employment to enter training approved under section 236(a)(1) of
22 the Trade Act of 1974: Provided further, That a claimant shall
23 not be disqualified for voluntarily leaving work if the claimant
24 left such work to accompany a spouse who is on active duty with
25 the United States Armed Forces and is required to relocate due
26 to permanent change of station orders, activation orders or unit
27 deployment orders and such relocation would make it impractical
28 or unreasonably difficult, as determined by the department, for
29 the claimant to continue employment with the claimant's
30 employer. For purposes of this subsection the term "suitable
31 employment" means with respect to a claimant, work of a
32 substantially equal or higher skill level than the claimant's
33 past "adversely affected employment" (as defined in section 247
34 of the Trade Act of 1974), and wages for such work at not less
35 than eighty per centum of the worker's "average weekly wage" (as
36 defined in section 247 of the Trade Act of 1974).

37 * * *

38 [(d) In which his unemployment is due to a stoppage of work,
39 which exists because of a labor dispute (other than a lock-out)
40 at the factory, establishment or other premises at which he is
41 or was last employed: Provided, That this subsection shall not
42 apply if it is shown that (1) he is not participating in, or
43 directly interested in, the labor dispute which caused the
44 stoppage of work, and (2) he is not a member of an organization
45 which is participating in, or directly interested in, the labor
46 dispute which caused the stoppage of work, and (3) he does not
47 belong to a grade or class of workers of which, immediately
48 before the commencement of the stoppage, there were members
49 employed at the premises at which the stoppage occurs, any of
50 whom are participating in, or directly interested in, the
51 dispute.]

1 * * *

2 Amend Bill, page 3, line 6, by striking out "2" and inserting

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