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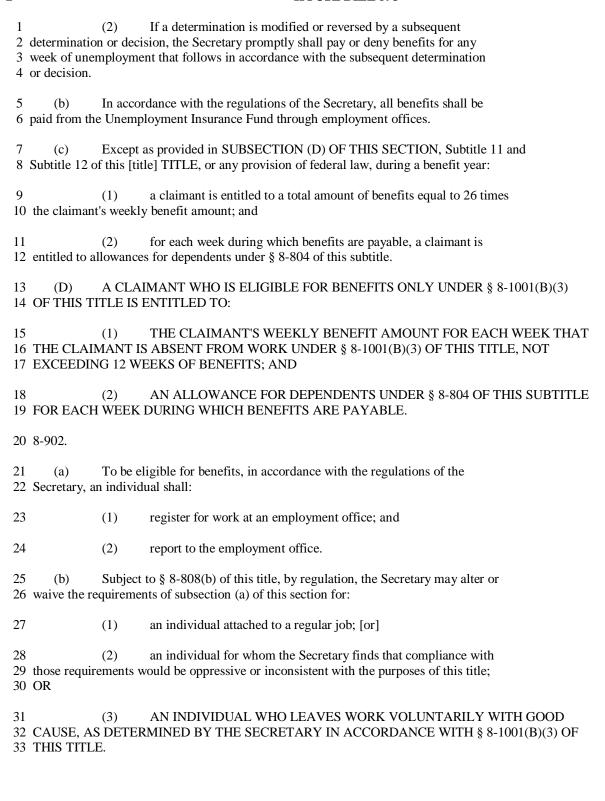
By: Delegates Dobson, Barve, Benson, Bobo, Bronrott, Brown, Cole, C.
Davis, DeCarlo, Doory, Dypski, Fulton, Glassman, Goldwater, Grosfeld,
A. Jones, V. Jones, Kirk, Kopp, Marriott, McHale, McIntosh, Menes,
Morhaim, Nathan-Pulliam, Oaks, Paige, Phillips, Rosenberg,
Sophocleus, and Swain

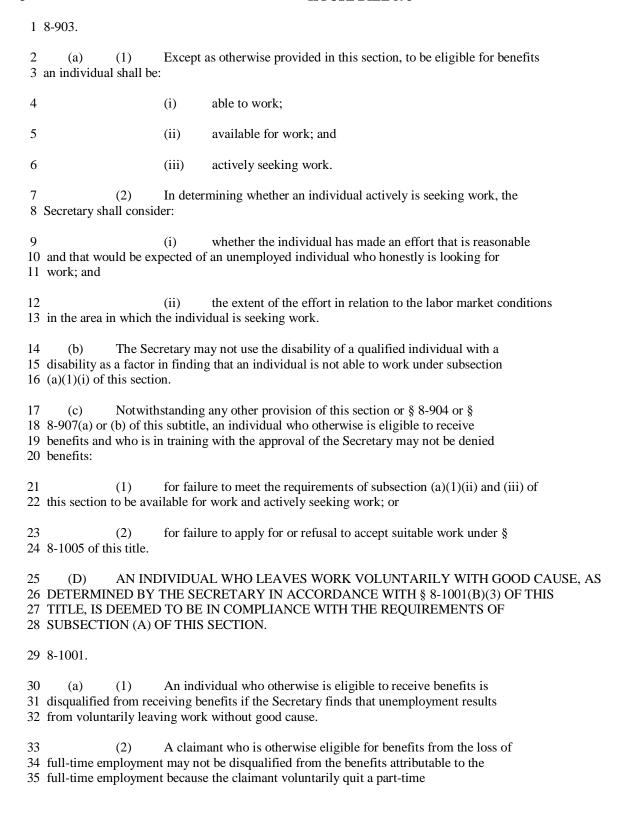
Introduced and read first time: February 4, 2002

Assigned to: Economic Matters

26 determination or decision.

| | A BILL ENTITLED |
|--|---|
| 1 | AN ACT concerning |
| 2 3 | Unemployment Insurance - Eligibility for Benefits - Birth or Adoption of Child |
| 4 5 6 7 8 9 10 11 12 13 | compliance with certain requirements; and generally relating to eligibility for unemployment benefits for an absence following the birth or adoption of a child |
| 14 15 16 17 18 | Section 8-808, 8-902, 8-903, 8-1001, and 8-1005 Annotated Code of Maryland |
| 19 | |
| 20 | MARYLAND, That the Laws of Maryland read as follows: Article - Labor and Employment |
| 22 | 8-808. |
| | (a) (1) Notwithstanding any provision of §§ 8-805 and 8-806 of this subtitle or Subtitle 10 of this title, the Secretary promptly shall pay benefits to a claimant in accordance with a determination until it has been modified or reversed by a later |





| | employment, if the claimant quit the part-time employment before the loss of the full-time employment. | | | | | |
|----------|--|----------|--------------------|------------|---|--|
| 3 | (b) only if: | The Sec | retary ma | ny find th | at a cause for voluntarily leaving is good cause | |
| 5 | | (1) | the caus | e is direc | tly attributable to, arising from, or connected with: | |
| 6 | | | (i) | the cond | litions of employment; or | |
| 7 | | | (ii) | the actio | ons of the employing unit; [or] | |
| 8 | | (2) | an indiv | idual: | | |
| 9 | | | (i) | is laid o | ff from employment through no fault of the individual; | |
| | total less tha | | | | subsequent employment that pays weekly wages that earned in the employment from which the | |
| 13 14 | program for | which th | (iii) e individ | | ne subsequent employment to attend a training een chosen that: | |
| 15 16 | Act; or | | | 1. | is offered under the Maryland Job Training Partnership | |
| 17 | | | | 2. | otherwise is approved by the Secretary; OR | |
| 18 | | (3) | AN INC | OIVIDUA | L: | |
| 19 | | | (I) | IS OTH | ERWISE ELIGIBLE FOR BENEFITS UNDER THIS TITLE; | |
| | FOLLOWIN THE CHILI | | (II) BIRTH C | | TARILY LEAVES EMPLOYMENT IMMEDIATELY PTION OF A CHILD OF THE INDIVIDUAL TO CARE FOR | |
| 23 | | | (III) | IS THE | PRIMARY PROVIDER OF CARE FOR THE CHILD; AND | |
| 24 25 | SALARY F | ROM TH | (IV) E INDIV | | RECEIVING, AND IS NOT ENTITLED TO, WAGES OR S EMPLOYER. | |
| 26 | (c) | (1) | A circur | nstance f | or voluntarily leaving work is valid only if it [is]: | |
| | from, or con [or] | nected w | (i) ith condi | | stantial cause that is directly attributable to, arising employment or actions of the employing unit; | |
| 30 31 | ACCORDA | NCE WI | (II) TH SUB: | | VES THE BIRTH OR ADOPTION OF A CHILD IN N (B)(3) OF THIS SECTION; OR | |

| 1 2 | [(ii)] (III) IS of such necessitous or compelling nature that the individual has no reasonable alternative other than leaving the employment. | | | | | |
|----------|---|--|--|--|--|--|
| 5 6 | (2) For determination of the application of paragraph (1)(ii) OR (III) of this subsection to an individual who leaves employment because of THE BIRTH OR ADOPTION OF A CHILD OR the health of [the] AN individual or another for whom the individual SEEKING BENEFITS must care, the individual SEEKING BENEFITS shall submit a written statement or other documentary evidence of [the]: | | | | | |
| 8 | (I) THE BIRTH OR ADOPTION OF THE CHILD; OR | | | | | |
| 9 | (II) THE health problem from a hospital or physician. | | | | | |
| | 0 (d) In addition to other circumstances for which a disqualification may be 1 imposed, neither good cause nor a valid circumstance exist and a disqualification 2 shall be imposed if an individual leaves employment: | | | | | |
| 13 | (1) to become self-employed; | | | | | |
| 14 15 | (2) to accompany a spouse to a new location or to join a spouse in a new location; or | | | | | |
| 16 | (3) to attend an educational institution. | | | | | |
| 17 | (e) A disqualification under this section: | | | | | |
| 18 19 | (1) shall begin with the first week for which unemployment is caused by voluntarily leaving without good cause; and | | | | | |
| 20 | (2) subject to subsection (c) of this section, shall continue: | | | | | |
| | (i) if a valid circumstance exists, for a total of at least 5 but not more than 10 weeks, as determined by the Secretary based on the seriousness of the circumstance; or | | | | | |
| | (ii) if a valid circumstance does not exist, until the individual is reemployed and has earned wages for covered employment that equal at least 15 times the weekly benefit amount of the individual. | | | | | |
| 27 | 8-1005. | | | | | |
| | (a) Subject to [subsection (d)] SUBSECTIONS (D) AND (E) of this section, an individual who otherwise is eligible to receive benefits is disqualified from receiving benefits if the Secretary finds that the individual, without good cause, failed to: | | | | | |
| 31 32 | (1) apply for work that is available and suitable when directed to do so by the Secretary; | | | | | |
| 33 | (2) accept suitable work when offered; or | | | | | |

| 1 2 | (3) so by the Secretary. | return t | o the individual's usual self-employment when directed to do |
|----------|---|----------------------|---|
| 3 4 | (b) (1) Secretary shall cons | | mining whether work is suitable for an individual, the |
| 5 6 | the individual; | (i) | the degree of risk involved to the health, morals, and safety of |
| 7 8 | physical fitness of the | (ii) ne individu | the experience, previous earnings, previous training, and ual; |
| 9 10 | for securing local v | (iii) work in the | the length of unemployment of the individual and the prospects usual occupation of the individual; and |
| 11 12 | individual. | (iv) | the distance of available work from the residence of the |
| | ` / | o be suital | nstanding any other provisions of this title, the Secretary may ble and thus deny benefits to an otherwise eligible of the new work if: |
| 16 17 | lockout, or other la | (i) bor dispute | the position offered is vacant as a direct result of a strike, e; |
| | | (ii) vorable to | hours, wages, or other conditions of work offered are the individual than those prevailing for similar work in |
| | required to join a collabor organization. | (iii) ompany ur | as a condition of being employed, the individual would be also or resign from or refrain from joining any bona fide |
| 24 | (c) A disc | ualificatio | on under this section: |
| 25 26 | (1) individual: | shall be | effective beginning with the latest week in which the |
| 27 | | (i) | was to have applied for work at the direction of the Secretary; |
| 28 29 | individual; or | (ii) | was notified that suitable work had become available to the |
| 30 31 | the direction of the | (iii) Secretary; | was to return to the usual self-employment of the individual at and |
| 32 | (2) | shall co | ntinue: |
| 33 | | (i) | for a total of at least 5 but not more than 10 weeks; or |
| | | | |

- 1 (ii) until the individual is reemployed and has earned wages for 2 covered employment that equal at least 10 times the weekly benefit amount of the 3 individual.
- 4 (d) (1) In this subsection, the terms "affected employee" and "work sharing 5 employer" have the meanings stated in § 8-1201 of this title.
- 6 (2) An affected employee who refuses to apply for or accept suitable work
- 7 from a person other than the work sharing employer may not be denied benefits
- 8 under this section.
- 9 (E) AN INDIVIDUAL WHO VOLUNTARILY LEAVES WORK FOR GOOD CAUSE, AS
- 10 DETERMINED BY THE SECRETARY IN ACCORDANCE WITH § 8-1001(B)(3) OF THIS
- 11 SUBTITLE, IS EXEMPT FROM THE APPLICATION OF THIS SECTION.
- 12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 13 October 1, 2002.