

SENATE BILL 251

Unofficial Copy
K2

2003 Regular Session
3r2009

By: **Senators Kelley, Conway, Della, Gladden, Hafer, Lawlah, McFadden,
Stone, and Teitelbaum**

Introduced and read first time: January 30, 2003

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Insurance - Eligibility - Part-Time Work**

3 FOR the purpose of requiring that an individual be deemed eligible for certain
4 benefits if the individual is able to work on a part-time basis, available for
5 part-time work, and actively seeking part-time work; and generally relating to
6 unemployment insurance benefits for part-time workers.

7 BY repealing and reenacting, with amendments,
8 Article - Labor and Employment
9 Section 8-903
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2002 Supplement)

12 Preamble

13 WHEREAS, Many Maryland employers routinely offer certain permanent jobs
14 only on a part-time basis; and

15 WHEREAS, Some workers who have been laid off from their jobs have a long
16 and productive history of part-time employment; and

17 WHEREAS, Workers who are only available for part-time work do not qualify
18 for unemployment insurance benefits; and

19 WHEREAS, A part-time worker who holds more than one part-time job is
20 ineligible to receive unemployment insurance benefits despite the fact that each of
21 the part-time worker's employers must contribute to the Unemployment Insurance
22 Fund for the part-time worker; and

23 WHEREAS, Part-time workers who are laid off through no fault of their own
24 should have parity with full-time workers with regard to eligibility to receive
25 unemployment insurance benefits; now therefore,

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Labor and Employment

2 8-903.

3 (a) (1) Except as otherwise provided in this section, to be eligible for benefits
4 an individual shall be:

5 (i) able to work;

6 (ii) available for work; and

7 (iii) actively seeking work.

8 (2) In determining whether an individual actively is seeking work, the
9 Secretary shall consider:

10 (i) whether the individual has made an effort that is reasonable
11 and that would be expected of an unemployed individual who honestly is looking for
12 work; and

13 (ii) the extent of the effort in relation to the labor market conditions
14 in the area in which the individual is seeking work.

15 (b) The Secretary may not use the disability of a qualified individual with a
16 disability as a factor in finding that an individual is not able to work under subsection
17 (a)(1)(i) of this section.

18 (c) Notwithstanding any other provision of this section or § 8-904 or §
19 8-907(a) or (b) of this subtitle, an individual who otherwise is eligible to receive
20 benefits and who is in training with the approval of the Secretary may not be denied
21 benefits:

22 (1) for failure to meet the requirements of subsection (a)(1)(ii) and (iii) of
23 this section to be available for work and actively seeking work; or

24 (2) for failure to apply for or refusal to accept suitable work under §
25 8-1005 of this title.

26 (D) AN INDIVIDUAL SHALL BE DEEMED TO BE ELIGIBLE FOR BENEFITS
27 UNDER SUBSECTION (A)(1) OF THIS SECTION IF THE INDIVIDUAL IS:

28 (1) ABLE TO WORK ON A PART-TIME BASIS;

29 (2) AVAILABLE FOR PART-TIME WORK; AND

30 (3) ACTIVELY SEEKING PART-TIME WORK.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2003.