

# HOUSE BILL 749

K2

8lr0084

---

By: **Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Introduced and read first time: February 4, 2008

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Insurance – Eligibility – Voluntary Quit to Follow a Spouse**

3 FOR the purpose of providing that an individual who voluntarily quits employment to  
4 follow a spouse who is a member of the United States military or an employee of  
5 a contractor of the United States military under certain circumstances is  
6 eligible to receive unemployment insurance benefits; providing for the  
7 application of this Act; and generally relating to unemployment insurance law.

8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 8–1001  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 2007 Supplement)

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

15 **Article – Labor and Employment**

16 8–1001.

17 (a) (1) An individual who otherwise is eligible to receive benefits is  
18 disqualified from receiving benefits if the Secretary finds that unemployment results  
19 from voluntarily leaving work without good cause.

20 (2) A claimant who is otherwise eligible for benefits from the loss of  
21 full-time employment may not be disqualified from the benefits attributable to the  
22 full-time employment because the claimant voluntarily quit a part-time employment,  
23 if the claimant quit the part-time employment before the loss of the full-time  
24 employment.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The Secretary may find that a cause for voluntarily leaving is good cause  
2 only if:

3 (1) the cause is directly attributable to, arising from, or connected  
4 with:

5 (i) the conditions of employment; [or]

6 (ii) the actions of the employing unit; or

7 (2) an individual:

8 (i) is laid off from employment through no fault of the  
9 individual;

10 (ii) obtains subsequent employment that pays weekly wages  
11 that total less than 50% of the weekly wage earned in the employment from which the  
12 individual was laid off; and

13 (iii) leaves the subsequent employment to attend a training  
14 program for which the individual has been chosen that:

15 1. is offered under the Maryland Workforce Investment  
16 Act; or

17 2. otherwise is approved by the Secretary; **OR**

18 **(3) CAUSED BY AN INDIVIDUAL LEAVING EMPLOYMENT TO**  
19 **FOLLOW A SPOUSE IF:**

20 **(I) THE SPOUSE:**

21 **1. SERVES IN THE UNITED STATES MILITARY;**

22 **2. IS A CIVILIAN EMPLOYEE OF THE MILITARY OR OF**  
23 **A FEDERAL AGENCY INVOLVED IN MILITARY OPERATIONS; OR**

24 **3. WORKS FOR A CONTRACTOR OF THE UNITED**  
25 **STATES MILITARY; AND**

26 **(II) THE SPOUSE'S EMPLOYER REQUIRES A MANDATORY**  
27 **TRANSFER TO A NEW LOCATION.**

28 (c) (1) A circumstance for voluntarily leaving work is valid only if it is:

1 (i) a substantial cause that is directly attributable to, arising  
2 from, or connected with conditions of employment or actions of the employing unit;  
3 [or]

4 (ii) of such necessitous or compelling nature that the individual  
5 has no reasonable alternative other than leaving the employment; **OR**

6 **(III) CAUSED BY THE INDIVIDUAL LEAVING EMPLOYMENT TO**  
7 **FOLLOW A SPOUSE IF:**

8 **1. THE SPOUSE:**

9 **A. SERVES IN THE UNITED STATES MILITARY;**

10 **B. IS A CIVILIAN EMPLOYEE OF THE MILITARY OR OF**  
11 **A FEDERAL AGENCY INVOLVED IN MILITARY OPERATIONS; OR**

12 **C. WORKS FOR A CONTRACTOR OF THE UNITED**  
13 **STATES MILITARY; AND**

14 **2. THE SPOUSE'S EMPLOYER REQUIRES A**  
15 **MANDATORY TRANSFER TO A NEW LOCATION.**

16 (2) For determination of the application of paragraph (1)(ii) of this  
17 subsection to an individual who leaves employment because of the health of the  
18 individual or another for whom the individual must care, the individual shall submit a  
19 written statement or other documentary evidence of the health problem from a  
20 hospital or physician.

21 (d) In addition to other circumstances for which a disqualification may be  
22 imposed, neither good cause nor a valid circumstance exists and a disqualification  
23 shall be imposed if an individual leaves employment:

24 (1) to become self-employed;

25 (2) to accompany a spouse to a new location or to join a spouse in a  
26 new location, **UNLESS THE REQUIREMENTS OF SUBSECTION (B)(3) OF THIS**  
27 **SECTION ARE MET**; or

28 (3) to attend an educational institution.

29 (e) A disqualification under this section:

30 (1) shall begin with the first week for which unemployment is caused  
31 by voluntarily leaving without good cause; and

1                   (2)     subject to subsection (c) of this section, shall continue:

2                           (i)     if a valid circumstance exists, for a total of at least 5 but not  
3 more than 10 weeks, as determined by the Secretary based on the seriousness of the  
4 circumstance; or

5                           (ii)    if a valid circumstance does not exist, until the individual is  
6 reemployed and has earned wages for covered employment that equal at least 15 times  
7 the weekly benefit amount of the individual.

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to  
9 individuals who file new claims for unemployment insurance benefits with an effective  
10 date on or after June 1, 2008.

11                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 June 1, 2008.