

CHAPTER 669

(House Bill 749)

AN ACT concerning

Unemployment Insurance – Eligibility – Voluntary Quit to Follow a Spouse

FOR the purpose of providing that an individual who voluntarily quits employment to follow a spouse who is a member of the United States military ~~or an employee of a contractor of the United States military~~ under certain circumstances is eligible to receive unemployment insurance benefits; providing for the application of this Act; requiring the Department to provide a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to unemployment insurance law.

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

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

Article – Labor and Employment

8–1001.

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

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

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

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

- (i) the conditions of employment; ~~for~~
- (ii) the actions of the employing unit; or

(2) an individual:

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

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

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

- 1. is offered under the Maryland Workforce Investment Act; or
- 2. otherwise is approved by the Secretary; ~~OR~~

~~(3) CAUSED BY AN INDIVIDUAL LEAVING EMPLOYMENT TO FOLLOW A SPOUSE IF:~~

~~(I) THE SPOUSE:~~

- ~~1. SERVES IN THE UNITED STATES MILITARY;~~
- ~~2. IS A CIVILIAN EMPLOYEE OF THE MILITARY OR OF A FEDERAL AGENCY INVOLVED IN MILITARY OPERATIONS; OR~~
- ~~3. WORKS FOR A CONTRACTOR OF THE UNITED STATES MILITARY; AND~~

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

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

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

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

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

1. THE SPOUSE:

- A. SERVES IN THE UNITED STATES MILITARY; OR**
- B. IS A CIVILIAN EMPLOYEE OF THE MILITARY OR OF A FEDERAL AGENCY INVOLVED IN MILITARY OPERATIONS; ~~OR~~**
- ~~C. WORKS FOR A CONTRACTOR OF THE UNITED STATES MILITARY; AND~~**

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

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

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

- (1) to become self-employed;
- (2) to accompany a spouse to a new location or to join a spouse in a new location, **UNLESS THE REQUIREMENTS OF SUBSECTION ~~(D)(2)~~ (C)(1)(III) OF THIS SECTION ARE MET**; or
- (3) to attend an educational institution.

(e) A disqualification under this section:

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

(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.

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

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before June 1, 2009, the Department of Labor, Licensing, and Regulation shall report to the House Economic Matters Committee and the Senate Finance Committee, in accordance with § 2-1246 of the State Government Article, on the implementation of this Act. The report shall include:

- (a) The number of claims filed pursuant to this Act;
- (b) The estimated fiscal impact of those claims;
- (c) Any directives that govern administration or enforcement of this Act; and
- (d) Any issues related to administration or enforcement of this Act.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2008.

Approved by the Governor, May 22, 2008.