

No. 3

AN ACT

SB 54

Amending the act of December 5, 1936 (1937 P.L.2897, No.1), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," eliminating the waiting week for unemployment compensation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (e) of section 401, act of December 5, 1936 (1937 P.L.2897, No.1), known as the "Unemployment Compensation Law," amended December 5, 1974 (No.262), is amended to read:

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

* * *

(e) **[Has been unemployed for a waiting period of one week, unless the Governor upon the occurrence of a disaster declares that a state of emergency exists, in which event the department may suspend the waiting week requirement with respect to unemployment resulting directly from such disaster.]**

No week shall be counted as a week of unemployment for the purposes of this **[subsection] section**, (1) unless it occurs within the benefit year which includes the week with respect to which such employe claims compensation, or (2) if compensation has been paid or is payable with respect thereto, or (3) unless the employe was eligible for compensation with respect thereto under all other provisions of this section and was not disqualified with respect thereto under section 402(a), (b), (d), (e), (f), (g), **[and] (h) and (i)**. **[Provided, notwithstanding any other provision of this subsection, That when an individual has been paid benefits in his current benefit year equal to four times his weekly benefit amount, he shall be eligible to receive benefits on his waiting period claim in accordance with the terms of this act.]**

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Section 2. The first paragraph of subsection (c) of section 501 of the act, amended May 29, 1945 (P.L.1145, No.408), is amended to read:

Section 501. Determination of Compensation Appeals.—* * *

(c) The department shall promptly examine each claim [**for waiting week credit and each claim**] for compensation and on the basis of the facts found by it shall determine whether or not the claim is valid.

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Section 3. This act shall take effect immediately.

APPROVED—The 6th day of June, A. D. 1975.

MILTON J. SHAPP