

Section 2. This act shall become effective immediately upon its final enactment.

Act effective immediately.

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN

No. 157

AN ACT

To further amend section four hundred two of the act, approved the fifth day of December, one thousand nine hundred thirty-six (Pamphlet Laws, two thousand eight hundred ninety-seven—1937), 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," to correct an error in previous amendment in connection with provisions covering ineligibility for compensation.

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

Unemployment Compensation Law.

Section 1. Section four hundred two of the act, approved the fifth day of December, one thousand nine hundred thirty-six (Pamphlet Laws, two thousand eight hundred ninety-seven—1937), 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," as last amended by section four* of the act, approved the twenty-third day of April, one thousand nine hundred forty-two (Pamphlet Laws, sixty), is further amended to read as follows:

Section 402, act of December 5, 1936, P. L. 2897—1937, as last amended by act of April 23, 1942, P. L. 60, further amended.

Section 402. Ineligibility for Compensation.—An

* "three" in original.

Ineligibility
factors revised.

employe shall be ineligible for compensation or waiting period credit for any week—

(a) In which his unemployment is due to failure, without good cause, either to apply for suitable work at such time and in such manner as the department may prescribe, or to accept suitable work when offered to him by the employment office or by his previous employer. In determining whether or not any work is suitable for an individual, the department shall consider the degree of risk involved to his health, safety and morals, his physical fitness and prior training and experience, and the distance of the available work from his residence;

(b) In which his unemployment is due to voluntarily leaving work without good cause: Provided, That no employe shall be deemed to be ineligible under this section where as a condition of continuing in employment such employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization, or to accept wages, hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation, or would be denied the right of collective bargaining under generally prevailing conditions.

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States: Provided, That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits, the disqualification shall not apply.

(d) In which the employe's total unemployment is due to a voluntary suspension of work resulting from an industrial dispute, but this disqualification shall apply only to the week in which the suspension occurred and for the three consecutive weeks of total unemployment which immediately follow such week.

Act effective
immediately.

Section 2. The provisions of this act shall become effective immediately upon its final enactment.

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN

No. 158

AN ACT

To amend section eleven of the act, approved the fifth day of June, one thousand nine hundred forty-one (Pamphlet Laws, eighty-four), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs,