

HOUSE BILL 627

K2
SB 251/03 – FIN

8lr1900
CF SB 328

By: **Delegates Taylor, Cardin, Feldman, Kirk, Krysiak, Manno, and Vaughn**
Introduced and read first time: February 1, 2008
Assigned to: Economic Matters

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 benefits
4 if the individual is able to work on a part-time basis, available for part-time
5 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 2007 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 the
21 part-time worker's employers must contribute to the Unemployment Insurance Fund
22 for the part-time worker; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

6 **Article - Labor and Employment**

7 8-903.

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

- 10 (i) able to work;
- 11 (ii) available for work; and
- 12 (iii) actively seeking work.

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

- 15 (i) whether the individual has made an effort that is reasonable
16 and that would be expected of an unemployed individual who honestly is looking for
17 work; and
- 18 (ii) the extent of the effort in relation to the labor market
19 conditions in the area in which the individual is seeking work.

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

23 (c) Notwithstanding any other provision of this section or § 8-904 or
24 § 8-907(a) or (b) of this subtitle, an individual who otherwise is eligible to receive
25 benefits and who is in training with the approval of the Secretary may not be denied
26 benefits:

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

29 (2) for failure to apply for or refusal to accept suitable work under
30 § 8-1005 of this title.

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

- 1 **(1) ABLE TO WORK ON A PART-TIME BASIS;**
- 2 **(2) AVAILABLE FOR PART-TIME WORK; AND**
- 3 **(3) ACTIVELY SEEKING PART-TIME WORK.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2008.