



Provides that unemployed individuals will receive enhanced unemployment insurance compensation benefits equal to the lesser of 20 weeks of benefits on the regular benefit claim, or 40 percent of the maximum benefit amount on the regular benefit claim, who are enrolled in and making satisfactory progress in an approved training program as certified by the training program provider providing a training program approved by the division or authorized under the Federal Workforce Investment Act of 1998. Such training program will prepare individuals for entry into a high-demand occupation, an occupation that leads to stable, long-term employment, or an occupation in the renewable energy industry. Repeals, effective July 1, 2012, the enhanced unemployment insurance compensation benefits provisions.

Provides for the optional extended benefits (EB) "on" indicator based on the seasonally adjusted total unemployment rate (TUR). Provides for up to 13 weeks, or 40 percent of the maximum benefit amount in the regular benefit claim, of EB if the average TUR for the most recent 3 months is at least 6.5 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years. Provides for up to an additional 7 weeks of EB if the state is in a high unemployment period. (The average TUR is at least 8 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years.)

The TUR provisions are effective for weeks of unemployment beginning on or after March 22, 2009, and ending on December 5, 2009, or 4 weeks prior to the last week for which the Federal government pays 100 percent of most EB costs, whichever is later.)

### Financing

Noncharges employers' accounts for benefits paid due to compelling family reasons and enhanced unemployment insurance compensation benefits and charges them to the Fund.

### Monetary Entitlement

Provides that if individuals would not be eligible for benefits because of use of a base period consisting of the first 4 of the last 5 completed calendar quarters, then their eligibility will be determined using a base period that includes the last 4 completed calendar quarters.

Provides that if information regarding weeks and wages for the calendar quarter immediately preceding the first day of the benefit year is unavailable from the regular quarterly reports of wage information, and the division is unable to obtain the information using other means under state or Federal law, the determination of eligibility for unemployment insurance benefits may be based on the affidavit of the unemployed individual with respect to weeks and wages for that calendar quarter. The individual will furnish payroll documentation, if available, in support of the affidavit. The division will verify the employee's wage information. A determination of unemployment insurance benefits based on an alternative base period will be adjusted when the quarterly report of

wage information from the employer is received, if that information causes a change in the determination.

### Nonmonetary Eligibility

Provides that individuals will not be disqualified from receiving benefits due to separation from employment if that separation is for a compelling family reason. Compelling family reason means:

- domestic violence verified by documentation which causes individuals to reasonably believe continued employment would jeopardize their or any immediate family members' safety;
- the illness or disability of a member of the individuals' immediate family; or
- the need for individuals to accompany their spouse to a place from which it is impractical for them to commute and due to a change in location of the spouse's employment.

**DELAWARE**

SB 156  
(CH 52)

ENACTED June 24, 2009  
EFFECTIVE June 24, 2009,  
or as noted

### Extensions and Special Programs

Provides for the optional extended benefits (EB) "on" indicator based on the seasonally adjusted total unemployment rate (TUR). Provides for up to 13 weeks of EB if the average TUR for the most recent 3 months is at least 6.5 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years. Provides for up to an additional 7 weeks of EB if the state is in a high unemployment period. (The average TUR is at least 8 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years.)

Effective for weeks of unemployment beginning after June 6, 2009. Provision ceases to be effective either with the week ending December 5, 2009, or with the week ending 4 weeks prior to the last week for which the Federal government pays 100 percent of sharable EB costs.

**LOUISIANA**

HB 892  
(Act No. 149)

ENACTED June 25, 2009  
EFFECTIVE April 1, 2010

### Administration

Requires, for prompt determination of claims, employers to provide wage, employment, and separation information and complete all forms and reports within 10 days from the date of mailing a request in order to be timely. Failure to provide this information in a timely manner without good cause is deemed abandonment of appeal rights, but with

good cause is not. Any appeal filed must be dismissed, except at the discretion of the referee, and the employers will be liable for any benefits paid.

**MINNESOTA**

HB 2088  
(CH 78)

ENACTED May 14, 2009  
EFFECTIVE May 14, 2009  
or as noted

### Administration

Permits an employer to be assessed a \$100 administrative penalty for failing to provide a weekly breakdown of money earned by an applicant if the information is necessary to detect applicant fraud. The breakdown notice must state that this penalty may be assessed. This \$100 penalty and the existing \$500 penalty for refusing to allow record audits or for failing to make all records available must be credited to the trust fund. (Previously penalties were credited to the administration account for use to ensure integrity in unemployment insurance program administration.) (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Includes under the definition of construction/independent contractor that for purposes of this chapter, section 181.723 determines whether a worker is an independent contractor or an employee when performing public or private sector commercial or residential building construction or improvement services. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Defines the meaning of and establishes procedures for “continued request for unemployment benefits.” Each applicant must file such request either by electronic transmission or by mail by the time period required. The application is not accepted and the applicant is ineligible for benefits for failing to meet the required time period, unless good cause is shown for such failure. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Defines the term “determination” to mean a document sent to an applicant or employer by mail or electronic transmission that is an initial department ruling on a specific issue. All documents that are determinations use that term in the title of the document and are appealable to an unemployment law judge. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Deletes the requirement that employers must be notified within 10 calendar days of the effect of failing to raise an issue of ineligibility due to a quit or discharge. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Repeals the definition of the term “able to work.”

Repeals the following subdivisions pertaining to the active benefit account:

Active benefit account

Continued biweekly request for unemployment benefits defined

Methods for filing continued biweekly requests for benefits

Continued biweekly request for unemployment benefits by electronic transmission

Continued biweekly request for unemployment benefits by mail

In-person continued biweekly request for unemployment benefits

Good cause

Good cause defined

### Appeals

Requires appeals to be filed online if filed by an agent of the employer. This requirement is not applicable to an employee filing on behalf of an employer. All information requested must be supplied when the appeal is filed to constitute an appeal. (Effective April 1, 2010, and applicable to determinations and decisions issued on or after that date.)

Establishes procedures for conducting evidentiary hearings by unemployment law judges.  
Establishes procedures for considering requests for subpoenas.

### Extensions and Special Program

Establishes a Self-employment Assistance (SEA) program effective May 15, 2009, and expiring June 30, 2012. Applicants for the SEA program are limited to a maximum of 500.

### Financing

Provides that the administration account also consists of money received from the Federal government to administer any Federal unemployment insurance program or assistance provided to any other state to administer that state's unemployment insurance program and any money credited to this account under this chapter.

Deletes the language requiring the establishment of a reimbursable account for the state or political subdivision when electing to be a tax paying employer and for a nonprofit organization electing to make reimbursements. Deletes all of the following language regarding termination of the election as a tax paying employer and regarding the election to make reimbursements: Termination and election are allowed only if such entities since the beginning of the experience rating period paid taxes equal to or more than 125 percent of the benefits used in computing the experience rating. In addition, any unemployment benefits paid after the experience rating period are transferred to the new reimbursable account of such entities. If the amount of taxes paid since the beginning of the experience rating period exceeds 125 percent of the amount of unemployment benefits paid during the experience rating period, that amount in excess is applied against any unemployment benefits paid after the experience rating period. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Provides that any interest, penalties, or fees due from an employer or any portion due may be cancelled at any time. This does not apply to unemployment insurance taxes or reimbursements due. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Deletes the 24-month time period that the commissioner may compromise in whole or in part any action, determination, or decision that affects only an employer and not an applicant in regard to the taking of \$500 or more in money or property by an employee from the employer. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Provides that any compromise involving an amount over \$10,000 (previously \$2,500) must be authorized by an attorney licensed to practice law in Minnesota who is an employee of the department designated by the commissioner for that purpose. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Deletes the provision which would exclude benefits paid from being used in computing the future tax rate of a taxpaying base period employer or charged to the reimbursable account of a base period nonprofit or government employer electing reimbursements when the employer is in the tourist or recreation industry and is in active operation of business less than 15 calendar weeks each year and the applicant's wage credits from the employer are less than 600 times the applicable state or federal minimum wage. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Deletes the provision that allows interest on past due taxes to be compromised. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Deletes the provision allowing that the replacement of money wrongfully used may come from the contingent account and if the money is not replaced from the contingent account, it is the policy of the state that the money be replaced by money appropriated for that purpose from the general funds of the state. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Deletes the requirement that the costs and fees collected relating to insufficient funds, filing, recording, sheriff, collection agencies, litigation, and an attorney must be used to ensure integrity in the administration of the unemployment insurance program.

Provides that the contingent account will no longer consist of all money appropriated by the legislature. The money in this account will no longer supplement all Federal money available to the commissioner and will not be appropriated and available to the commissioner. All money in this account is appropriated and available for administration of the unemployment insurance program of the state unless otherwise appropriated by session law. Deletes the requirement that on June 30 of each year all amounts in excess

of \$300,000 in this account be paid over to the trust fund. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Provides that computations of money required under this chapter that do not result in a whole dollar are rounded down to the next lower whole dollar, unless specifically provided otherwise by law. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Provides that benefits paid will not be used in computing the future tax rate of a tax paying base period employer when benefits were allowed because of a quit or discharge and the decision is later reversed. (Effective August 2, 2009, and applicable to determinations and unemployment law judge decisions issued on or after that date.)

Directs the commissioner, in consultation with others to determine and implement the appropriate pay level for unemployment law judges.

#### Monetary Entitlement

Provides that an application for benefits may be backdated if the applicant requests the backdating at the time of filing the application. (Previously backdating was allowed upon a specific request of an applicant.) (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Provides that an established benefit account may later be withdrawn only if the applicant has not been paid any unemployment benefits on that account and a new application for unemployment benefits is filed and a new benefit account is established at the time of the withdrawal. Deletes the language that the benefit account may be withdrawn only if the claimant has not served the nonpayable waiting week. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

#### Nonmonetary Eligibility

Provides that if the pension retirement or annuity payment is paid in a lump sum, the applicant is not considered to have received a payment if that payment is an early distribution for which the applicant paid an early distribution penalty under the Internal Revenue Code. (Effective May 15, 2009, and retroactive to December 1, 2008.)

Modifies the definition of “available for suitable employment” to mean an applicant is ready and willing to accept suitable employment. (Previously, “available for suitable employment” meant being ready and willing to accept suitable employment in the labor market area.) (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Modifies the definition of “available for suitable employment” by deleting the requirement that an applicant have transportation throughout the labor market area to be

considered available for suitable employment. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Provides that an applicant electing to become temporarily unemployed to avoid the layoff of another employee with the applicant's employer due to lack of work is not ineligible for benefits under the leave of absence provision, or ineligible under the quit provision if certain requirements are met. Other requirements must be met including being available for suitable employment with a different employer for benefits to be payable. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Provides that an individual who within 5 calendar days after completion of a suitable temporary job assignment from a staffing service employer accepts employment with the client of the staffing service is not ineligible under the voluntarily quit provisions. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

### Overpayments

Provides that if the Internal Revenue Service assesses a fee for offsetting from a federal tax refund the amount of any fraud overpayment, including penalties and interest, the amount of the fee may be added to the total amount due. The offset amount must be put in the trust fund and credited to the total amount due from the applicant. (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Provides that nonfraud and fraud overpayments, penalties, and interest assessed may also be collected by the methods allowed under state and Federal law. (Previous law allowed collections by the same methods as delinquent payments from an employer.) (Effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

Deletes the requirement that 37.5 percent of the money received in repayment of fraudulently obtained unemployment benefits credited to the administration account must be for deterring, detecting, or collecting overpayments.

**NEVADA**

AB 84  
(CH 445)

ENACTED June 4, 2009  
EFFECTIVE July 1, 2009

### Financing

Requires money in the Employment Security Fund, in addition to existing required uses, to be used for the costs of any program or the implementation of procedures deemed necessary by the Administrator to ensure the proper payment of benefits and collection of contributions and reimbursements pursuant to this chapter.

## Overpayments

Any administrative fee may be assessed as prescribed by any applicable agency of the U.S. regarding the recovery of benefit overpayments, to the extent allowed under Federal law.

Provides that a false statement or representation also includes, without limitation, failing to properly report earnings or filing a claim for benefits using the social security number, name, or other personal identifying information of another person. Any person violating any of these commits unemployment insurance fraud.

Provides that when persons are found to have committed unemployment insurance fraud, they must repay for deposit in the Fund a sum equal to all of the benefits received or paid for each week with respect to which the false statement or representation was made or to which they failed to disclose a material fact, in addition to any interest, penalties, and costs related to that sum.

Except as otherwise provided, persons are disqualified from receiving unemployment compensation benefits beginning with the first week claimed in violation and not more than 52 consecutive weeks after the week in which it is determined a claim was filed in violation or until the sum, in addition to any interest, penalties or costs related to that sum is repaid, whichever is longer.

Provides that it is a violation for a person to file a claim, or to cause or allow a claim to be filed on his behalf if the person is incarcerated in the state prison or any county or city jail or detention facility or other correctional facility in Nevada, and the claim does not expressly disclose his incarceration.

Provides that a person obtaining benefits of \$250 or more as a result of committing unemployment insurance fraud will be punished in the same manner as theft under certain other provisions.

Provides that in addition to the repayment of benefits as required above, if the amount of benefits which must be repaid is greater than \$1,000, a penalty may be imposed equal to not more than:

- if the amount of such benefits is greater than \$1,000 but not greater than \$2,500, 25 percent; or
- if the amount of such benefits is greater than \$2,500, 50 percent, of the total amount of benefits received by the person in violation of this provision or any other provision of this chapter.

Provides that except as otherwise waived as provided below, a person may not repay benefits as required above by using benefits which would otherwise be due and payable to the person if he was not disqualified.

Provides that the period of disqualification mentioned above may be waived for good

cause shown or if the person adheres to an authorized repayment schedule that is designed to fully repay benefits received from an improper claim, in addition to any related interest, penalties, and costs, within 18 months. If the period of disqualification is waived under this paragraph, the person may repay benefits as required above by using any benefits which are due and payable to the person, except that benefits which are due and payable to the person may not be used to repay any related interest, penalties and costs.

Provides that the Administrator may recover any money required to be paid under the above provisions in accordance with certain other provisions and may collect interest on any such money in accordance with certain other provisions.

Provides that except as otherwise provided in certain other provisions, whoever makes a false statement or representation knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment under this chapter, either for himself or for any other person, is guilty of a misdemeanor.

Provides that except as otherwise provided in certain other provisions, whenever two or more persons conspire to obtain or increase any benefit or other payment under this chapter by a false statement or representation knowing it to be false, or by knowingly failing to disclose a material fact, or whenever any person makes a series of false statements or representations knowing them to be false, to obtain or increase benefit payments under this chapter over a period of more than 1 week, every such person is guilty of a gross misdemeanor.

Provides that except as otherwise provided in certain other provisions, any person residing in Nevada who claims benefits under any agreement existing between the Division and some other state or the Federal Government, who willfully makes a false statement or representation or knowingly fails to disclose a material fact to obtain or increase benefits under the provisions of the unemployment law of any other state or the Federal Government is guilty of a misdemeanor.

**NEW HAMPSHIRE** SB 172 ENACTED and EFFECTIVE August 7, 2009  
(CH 323)

#### Extensions and Special Programs

Provides that individuals must have insured wages exceeding 40 times their most recent weekly benefit amount in their base period to qualify for extended benefits (EB).

Adds the optional EB “off” indicator based on the seasonally adjusted total unemployment rate (TUR) which requires EB to trigger off when the average TUR for the most recent 3 months is less than 6.5 percent or 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years.

#### Financing

Provides that it is unnecessary to appropriate the state's share of the \$500 million of the 2009 special administrative distribution made under the Recovery Act.

**NEW YORK** AB 6050 ENACTED and EFFECTIVE July 11, 2009  
(CH 106)

Extensions and Special Programs

Extends the expiration date of the self-employment assistance program from December 7, 2009, to December 7, 2011, at which time it is repealed.

**NORTH CAROLINA** HB 1124 ENACTED and EFFECTIVE June 15, 2009  
(CH 101)

Nonmonetary Eligibility

Excludes from the definition of "discharge for misconduct with the work," a discharge or employer-initiated separation of a severely disabled veteran for acts or omissions of the veteran that are determined attributable to a disability incurred or aggravated in the line of duty during active military service, or to the veteran's absence from work to obtain care and treatment of a disability incurred or aggravated in the line of duty during active military service. Such discharge or separation will not disqualify the veteran from receiving benefits under the substantial fault provisions for any period of time. Defines "severely disabled veteran."

**PENNSYLVANIA** HB 1770 ENACTED and EFFECTIVE August 4, 2009  
(Act No. 30)

Extensions and Special Programs

Provides for the optional extended benefits (EB) "on" indicator based on the seasonally adjusted total unemployment rate (TUR). Provides for up to 13 weeks of EB if the average TUR for the most recent 3 months is at least 6.5 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years. Provides for up to an additional 7 weeks of EB if the state is in a high unemployment period. (The average TUR is at least 8 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years.)

Applicable retroactively to July 1, 2009, only with respect to weeks of unemployment for which the Federal government pays 100 percent of most EB costs without regard to the extension of federal sharing for certain claims.

**TEXAS** HB 1831 ENACTED June 19, 2009  
(CH 207) EFFECTIVE September 1, 2009

Extensions and Special Programs

Permits the governor, by executive order, to suspend the waiting period requirement if an individual is unemployed as a direct result of a natural disaster, is otherwise eligible for unemployment compensation benefits and is not receiving disaster unemployment assistance for the period included in that waiting period.

**WASHINGTON** SB 5963 ENACTED and EFFECTIVE May 14, 2009  
(CH 493)

### Extensions and Special Programs

Provides that “eligibility period” means, for an individual who is eligible for emergency unemployment compensation during the extended benefit period beginning February 15, 2009, the period consisting of the week ending February 28, 2009, through the week ending May 29, 2010.

### Financing

Provides that unemployment insurance benefit payments are charged to the experience rating accounts of employers in the same amount that benefits are paid out.

Deletes use of the Standard Industrial Classification Manual for assigning employers to industrial classifications.

For contributions assessed in rate year 2010 and thereafter, requires that the minimum flat social cost factor be 0.6 percent, except when the balance in the unemployment compensation fund is at least:

- 10 months of benefits but less than 11 months, the minimum will be 0.5 percent;  
or
- 11 months of benefits but less than 12 months, the minimum will be 0.45 percent;  
or
- 12 months of benefits but less than 13 months, the minimum will be 0.4 percent;  
or
- 13 months of benefits but less than 15 months, the minimum will be 0.35 percent;  
or
- 15 months of benefits but less than 17 months, the minimum will be 0.25 percent;  
or
- 17 months of benefits but less than 18 months, the minimum will be 0.15 percent;  
or
- 18 months of benefits, the minimum must be 0.15 percent through rate year 2011, and the minimum will be 0.0 percent in rate years 2012 and beyond.

(Previously, the exceptions included at least:

- 12 months of benefits but less than 14 months, the minimum will be 0.5 percent;  
or

- 14 months of benefits of unemployment benefits, the minimum will be 0.5 percent except that, for employers in rate class 1, the minimum will be 0.45 percent.)

For contributions assessed in rate year 2010 and thereafter, provides that the sum of an employer's array calculation factor rate and the graduated social cost factor rate may not exceed 6 percent (was 6.5) for employers whose NAICS code is within "111," "112," "1141," "115," "3114," "3117," "42448," or "49312," may not exceed 5.4 percent (was 5.7) for the graduated social cost factor rate for each employer in the array.

### Nonmonetary Eligibility

Provides that with respect to separations that occur on or after September 6, 2009, an individual has good cause and is not disqualified from benefits for:

- leaving work to accept a bona fide offer of bona fide work;
- the separation was necessary because of the illness or disability of the claimant or the death, illness, or disability of a member of the claimant's immediate family if:
  - the claimant pursued all reasonable alternatives to preserve his or her employment status by requesting a leave of absence, by having promptly notified the employer of the reason for the absence, and by having promptly requested reemployment when again able to assume employment. These alternatives need not be pursued, however, when they would have been a futile act, including those instances when the futility of the act was a result of a recognized labor/management dispatch system; and
  - the claimant terminated his or her employment status, and is not entitled to be reinstated to the same position or a comparable or similar position;
- The claimant (1) left work to relocate for the employment of a spouse or domestic partner that is outside the existing labor market area (previously, provided if the claimant left work to relocate for the spouse's employment that, due to a mandatory military transfer is outside the existing labor market area; and (2) remained employed as long as was reasonable prior to the move;
- The separation was necessary to protect the claimant or the claimant's immediate family members from domestic violence, or stalking;
- The individual's usual compensation was reduced by 25 percent or more;
- The individual's usual hours were reduced by 25 percent or more;
- The individual's worksite changed, such change caused a material increase in distance or difficulty of travel, and, after the change, the commute was greater than is customary for workers in the individual's job classification and labor market;

- The individual's worksite safety deteriorated, the individual reported such safety deterioration to the employer, and the employer failed to correct the hazards within a reasonable period of time;
- The individual left work because of illegal activities in the individual's worksite, the individual reported such activities to the employer, and the employer failed to end such activities within a reasonable period of time;
- The individual's usual work was changed to work that violates the individual's religious convictions or sincere moral beliefs; or
- The individual left work to enter an apprenticeship program approved by the Washington state apprenticeship training council. Benefits are payable beginning Sunday of the week prior to the week in which the individual begins active participation in the apprenticeship program.

**WEST VIRGINIA** HB 301

ENACTED August 19, 2009

EFFECTIVE August 12, 2009

Extensions and Special Programs

Provides for the optional extended benefits (EB) “on” indicator based on the seasonally adjusted total unemployment rate (TUR). Provides for up to 13 weeks of EB if the average TUR for the most recent 3 months is at least 6.5 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years. Provides for up to an additional 7 weeks of EB if the state is in a high unemployment period. (The average TUR is at least 8 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years.)

TUR provision is effective for weeks of unemployment beginning on or after February 1, 2009. Provision ceases to be effective for weeks of unemployment ending on or before December 5, 2009, for which the Federal government pays 100 percent of most EB costs. If Federal law extends the date for providing the 100 percent Federal share of most EB costs, the provision ceases to be effective ending on or before a date to be determined by the commissioner.

**WISCONSIN**

AB 255  
(Act No. 11)

ENACTED May 15, 2009

EFFECTIVE May 15, 2009, or as noted

Financing

Provides that the following cost of benefits paid that are otherwise chargeable to the account of a contributing employer will be charged to the fund's balancing account:

- approved training, effective August 19, 2009;

- voluntary quit to accompany spouse, effective May 18, 2009;
- voluntary quit due to illness or disability, effective May 18, 2009;
- separating for domestic abuse, effective May 18, 2009.

### Extensions and Special Programs

Provides that all individuals who have exhausted all rights to regular unemployment compensation, and who are enrolled in and making satisfactory progress in a state-approved training program will be entitled to an additional amount of benefits equal to 26 times their average weekly benefit amount for the most recent benefit year. Such training programs will prepare individuals who have been separated from a declining occupation or who have been involuntarily separated from employment due to a permanent reduction in operations at their place of employment for entry into a high-demand occupation. (Effective and applicable with respect to weeks of unemployment beginning August 17, 2009.)

Provides for the optional extended benefits (EB) “on” indicator based on the seasonally adjusted total unemployment rate (TUR). Provides for up to 13 weeks of EB if the average TUR for the most recent 3 months is at least 6.5 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years. Provides for up to an additional 7 weeks of EB if the state is in a high unemployment period meaning that the average total unemployment rate (TUR) is at least 8 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years.

The TUR provision is effective for weeks of unemployment beginning on or after February 17, 2009, and ending before June 1, 2010, or the last week for which the Federal government pays 100 percent of most extended benefit (EB) costs as authorized and any amendments thereto, whichever is later.

### Nonmonetary Eligibility

Modifies the voluntary termination of work provision to include that employees will not be disqualified from receiving benefits due to voluntary separation if the employees terminated their work because of the verified illness or disability of a member of his or her immediate family and the verified illness or disability reasonably necessitates the care of the family member for a period of time that is longer than the employer is willing to grant leave. (Effective and applicable with respect to terminations of unemployment beginning May 18, 2009.)

Exceptions to the 2,080 hours per year requirement to be a full-time employee may be granted, but requiring work less than 37.5 hours per week does not meet the definition of a full-time employee.

Modifies the definition of domestic abuse to include physical abuse or a threat of physical abuse by an adult person against an unrelated adult person with whom the person has had

a personal relationship. Provides that to be eligible for terminating employment due to domestic abuse or concerns about personal safety or harassment, individuals must provide a protective order relating to the domestic abuse or concerns about personal safety or harassment issued by a court of competent jurisdiction, a report by a law enforcement agency documenting the domestic abuse or concerns, or evidence of the domestic abuse or concerns provided by a health care professional or an employee of a domestic violence shelter. (Previously, individuals prior to termination had to obtain a temporary restraining order or an injunction or had a foreign protection order.) Also, repeals the provision providing that the individual demonstrate that the order has been or is reasonably likely to be violated. (Effective and applicable with respect to terminations of unemployment beginning May 18, 2009.)