

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 265 Session of 2025

INTRODUCED BY POWELL, WAXMAN, SANCHEZ, McANDREW, KHAN, GIRAL, HILL-EVANS, PROBST, DONAHUE, NEILSON, FLEMING, INGLIS, DEASY, STEELE, RABB, SCHLOSSBERG AND PARKER, JANUARY 22, 2025

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JANUARY 22, 2025

AN ACT

1 Amending the act of December 5, 1936 (2nd Sp.Sess., 1937
2 P.L.2897, No.1), entitled "An act establishing a system of
3 unemployment compensation to be administered by the
4 Department of Labor and Industry and its existing and newly
5 created agencies with personnel (with certain exceptions)
6 selected on a civil service basis; requiring employers to
7 keep records and make reports, and certain employers to pay
8 contributions based on payrolls to provide moneys for the
9 payment of compensation to certain unemployed persons;
10 providing procedure and administrative details for the
11 determination, payment and collection of such contributions
12 and the payment of such compensation; providing for
13 cooperation with the Federal Government and its agencies;
14 creating certain special funds in the custody of the State
15 Treasurer; and prescribing penalties," in compensation,
16 further providing for benefits based on service for
17 educational institutions.

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

20 Section 1. Section 402.1(2) of the act of December 5, 1936
21 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
22 Compensation Law, is amended to read:

23 Section 402.1. Benefits Based on Service for Educational
24 Institutions.--Benefits based on service for educational
25 institutions pursuant to Article X, XI or XII shall as

hereinafter provided be payable in the same amount, on the same terms and subject to the same conditions as outlined in section 404(g); except that:

* * *

(2) (i) With respect to services performed after October 31, 1983, and prior to the effective date of this subclause, in any other capacity for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms.

(ii) With respect to services performed on and after the effective date of this subclause in any other capacity for an educational institution, benefits shall be paid on the basis of such services to any individual described in subclause (i), regardless of whether or not there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms, to the extent permitted under 26 U.S.C. § 3304(a)(6) (relating to approval of State laws), so long as the individual is otherwise eligible for benefits.

* * *

Section 2. This act shall take effect in 60 days.