

SB 502-FN – VERSION ADOPTED BY BOTH BODIES

03/06/08 0834s

03/06/08 0883s

03/20/08 0971s

2008 SESSION

08-2708

08/03

SENATE BILL **502-FN**

AN ACT relative to unemployment compensation.

SPONSORS: Sen. Hassan, Dist 23; Sen. Gottesman, Dist 12; Sen. DeVries, Dist 18; Sen. Fuller Clark, Dist 24; Sen. Reynolds, Dist 2; Sen. Burling, Dist 5

COMMITTEE: Commerce, Labor and Consumer Protection

AMENDED ANALYSIS

This bill:

I. Defines “part-time work.”

II. Defines “full-time work.”

III. Allows refusal of acceptance of full-time and part-time work to be considered in unemployment compensation benefit eligibility considerations.

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Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eight

AN ACT relative to unemployment compensation.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraphs; Part-Time Employment; Definition. Amend RSA 282-A:9 by inserting after paragraph VII the following new paragraphs:

VIII. “Full-time work” is work in employment of at least 37.5 hours a week.

IX. “Part-time work” is work in employment of at least 20 hours a week but less than 37.5 hours a week.

2 Benefit Eligibility Conditions. Amend RSA 282-A:31, I(c)-(d) to read as follows:

(c) He ***or she*** is ready, willing, and able to accept and perform suitable ***full-time or part-time*** work on all the shifts and during all the hours for which there is a market for the services he ***or she*** offers and that he ***or she*** has exposed himself ***or herself*** to employment to the extent

commensurate with the economic conditions and the efforts of a reasonably prudent [man] **person** seeking work.

(d) He or she is available for and seeking permanent, full-time or part-time work for which he or she is qualified **provided that, if availability is limited to part-time work, the claim for unemployment benefits is based on wages earned in part-time work.**

3 Part Time Work; Disqualification for Benefits. Amend RSA 282-A:32, I(d)(2) to read as follows:

(2) Notwithstanding any other provision of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new **full-time or part-time** work under any of the following conditions:

(A) If the position offered is vacant due directly to a strike, lockout, or other labor dispute;

(B) If the wages, hours, or other conditions of the work are substantially less favorable to the individual than those prevailing for similar work in the locality;

(C) If, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;

(D) If the individual is unable to apply for or accept **full-time or part-time** work during the hours of a particular shift because he or she is the only adult available for the care of an ill, infirm, or physically or mentally disabled family member whom a licensed physician has certified is in need of care for the activities of daily living;

(E) If the individual is unable to apply for or accept **full-time or part-time** work during the hours of a particular shift because he or she is the only adult available for the care of a natural, adopted, step, or foster child under the age of 16; or

(F) If the individual is permanently physically and/or mentally disabled, full-time **or part-time** work for such individual shall be deemed to be the hours and shifts the individual is physically able to work as certified by a licensed physician provided there is a market for the services the individual offers during such hours and shifts.

4 Part Time Employment; Partial Unemployment. Amend RSA 282-A:14, I(b) to read as follows:

(b) An individual [~~who meets the requirements of RSA 282-A:31, V and~~] who is seeking only part-time work shall be deemed to be partially unemployed only in any week during which the individual was employed fewer than 20 hours.

5 Repeal. RSA 282-A:31, V, relative to the application of benefits to part time workers, is repealed.

6 Effective Date. This act shall take effect 60 days after its passage.

LBAO

08-2708

Revised 02/21/08