

No. 1996-189

AN ACT

HB 2703

Amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), 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," further providing for definitions, for determination of contribution rates and for employer reserve accounts.

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

Section 1. Section 4 of the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, is amended by adding a subsection to read:

Section 4. Definitions.—The following words and phrases, as used in this act, shall have the following meanings, unless the context clearly requires otherwise.

* * *

(h.1) "Disaster" means a fire, flood or other physical occurrence, beyond the employer's control, caused naturally or accidentally.

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Section 2. Section 302(a) of the act is amended by adding a paragraph to read:

Section 302. Establishment and Maintenance of Employer's Reserve Accounts.—The department shall establish and maintain for each employer a separate employer's reserve account in the following manner:

(a) * * *

(2.1) Notwithstanding the provisions of paragraph (1) of this subsection, if the department finds that an individual was separated from his most recent work for such employer due to a cessation of business of eighteen months or less caused by a disaster, compensation paid to such individual with respect to any week of unemployment occurring subsequent to such separation shall not be charged to the account of such employer; provided, such employer has filed a notice with the department in accordance with its rules and regulations and within the time limits prescribed therein.

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Section 3. This act shall apply to disasters which occur on or after the effective date of this act.

Section 4. This act shall take effect immediately.

APPROVED—The 19th day of December, A.D. 1996.

THOMAS J. RIDGE