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# A BILL FOR AN ACT

RELATING TO UNEMPLOYMENT INSURANCE BENEFITS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 383-29.6, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~+~~§383-29.6~~+~~ **Partial unemployment; eligibility.** (a)

4 A new claim or an initial additional claim for partial  
5 unemployment benefits may be filed as the department prescribes  
6 for any week only if the individual:

7           (1) Is a full-time worker;

8           (2) Is attached to a regular employer, as defined in  
9 section 383-1;

10           (3) Worked less than or did not work the individual's  
11 normal, customary full-time hours, as defined in  
12 section 383-1, for that week;

13           (4) Had no earnings or earned less than the individual's  
14 weekly benefit amount for that week; and

15           (5) Was unemployed due to a lack of full-time work, as  
16 defined in section 383-1, for that week.



1        (b) Effective July 1, 2010, notwithstanding any law or  
2 rule to the contrary, an individual shall not be disqualified  
3 for benefits for any week in which the individual separates from  
4 an employer offering only part-time employment:

5        (1) If the individual has established eligibility for  
6 partial unemployment in accordance with subsection  
7 (a); and

8        (2) If the individual's wages from the regular employer to  
9 which the individual is attached is at least seventy-  
10 five per cent of the total wages in the base period of  
11 the current claim during which the separation from the  
12 employer offering part-time employment occurred.

13        (c) For purposes of subsection (b), the employer offering  
14 part-time employment shall not be charged for any benefits paid  
15 on the individual's current or subsequent claim.

16        (d) For the purposes of this section:

17        "Attached to a regular employer" means:

18        (1) The employee is being offered work each week by the  
19 employee's regular employer; or

20        (2) If no work is being offered:

21        (A) The employer is maintaining the individual on the  
22 payroll by paying for a medical insurance plan or



1                   by maintaining the employee's sick leave or  
2                   vacation credits; or

3                   (B) There is a definite return to work date with the  
4                   same employer within eight weeks.

5                   "Full-time hours" or "full-time work" means a forty-hour  
6 work week unless regarded otherwise according to the standard  
7 practice, custom, or agreement in a particular trade,  
8 occupation, or business.

9                   "Partial unemployment" or "partially unemployed" means the  
10 unemployment of any individual who, during a particular week,  
11 was still attached to that individual's regular employer, had no  
12 earnings or earned less than that individual's weekly benefit  
13 amount, and who worked less than or did not work that  
14 individual's normal, customary full-time hours for the  
15 individual's regular employer because of a lack of full-time  
16 work."

17                   SECTION 2. Act 170, Session Laws of Hawaii 2009, is  
18 amended by amending section 7 to read as follows:

19                   "SECTION 7. This Act shall take effect on July 1, 2009,  
20 and shall be repealed on July 1, 2012; provided that on July 1,  
21 2012, sections 383-1 and 383-29(a), Hawaii Revised Statutes,  
22 shall be reenacted in the same form in which they read on



1 June 30, 2009[-]; and provided further that section 383-29.6,  
2 Hawaii Revised Statutes, shall not be repealed."

3 SECTION 3. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Unemployment Benefits; Disqualification; Part-time Work

**Description:**

Authorizes an individual that is attached to a regular employer who is not offering work to still receive unemployment insurance benefits under certain circumstances if the individual separates from an employer offering part-time employment. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

