

---

---

## A BILL FOR AN ACT

RELATING TO UNEMPLOYMENT.

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

1           SECTION 1. Section 383-29, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) (1) Benefits based on service in an instructional,  
4           research, or principal administrative capacity in an  
5           institution of education shall not be paid to an  
6           individual for any week of unemployment which begins  
7           during the period between two successive academic  
8           years, or during a similar period between two regular  
9           terms, whether or not successive, or during a period  
10          of paid sabbatical leave provided for in the  
11          individual's contract, if the individual performed  
12          such services in the first of such academic years or  
13          terms and if there is a contract or a reasonable  
14          assurance that such individual will perform services  
15          in any such capacity for any institution of education  
16          in the second of such academic years or terms[-];

17          ~~[(2) Benefits based on service in any other capacity for~~  
18          ~~any educational institution shall not be paid to any~~



1 ~~individual for any week which commences during a~~  
2 ~~period between two successive academic years or terms~~  
3 ~~if such individual performs such services in the first~~  
4 ~~of such academic years or terms and there is a~~  
5 ~~reasonable assurance that such individual will perform~~  
6 ~~such services in the second of such academic years or~~  
7 ~~terms, except that, if compensation is denied to any~~  
8 ~~individual under this subsection and such individual~~  
9 ~~was not offered an opportunity to perform such~~  
10 ~~services for the educational institution for the~~  
11 ~~second of such academic years or terms, such~~  
12 ~~individual shall be entitled to a retroactive payment~~  
13 ~~of compensation for each week for which the individual~~  
14 ~~filed a timely claim for compensation and for which~~  
15 ~~compensation was denied solely by reason of this~~  
16 ~~clause.~~

17 ~~(3)]~~ (2) Benefits based on service in any instructional,  
18 research, or principal administrative capacity in any  
19 educational institution or based on other services in  
20 any educational institution shall not be paid to any  
21 person for any week of unemployment which begins  
22 during an established and customary vacation or recess



1 for a holiday if the person performs service in the  
 2 period immediately preceding the vacation or recess  
 3 and there is reasonable assurance that the person will  
 4 be provided employment immediately succeeding the  
 5 vacation or recess [ ]; and

6 ~~[(4)]~~ (3) The provisions of paragraphs (1) [ ] and (2) [ ] and  
 7 ~~(3)]~~ apply also to services performed while employed  
 8 by a governmental agency which is established and  
 9 operated exclusively for the purpose of providing such  
 10 services to one or more educational institutions."

11 SECTION 2. Statutory material to be repealed is bracketed  
 12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.

14 INTRODUCED BY:

*Karen Curran*  
*Barbara Mammone*  
*Calvin K. Day*  
*John W. ...*  
*...*  
*...*  
*...*

JAN 21 2011



**Report Title:**

Unemployment Insurance; Educational Employees; Benefits.

**Description:**

Allows educational employees other than those serving in an instructional, research, or principal administrative capacity to collect unemployment insurance benefits for the period between successive academic years or terms.

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

