

1 work and a corresponding reduction in wages of at least ten per
2 cent, but in no case greater than fifty per cent.

3 **§383-B Definitions.** As used in this part:

4 "Normal weekly hours" shall mean the number of hours in a
5 week that the employee normally would work for the regular
6 employer or forty hours, whichever is less.

7 "Regular employer" shall have the same meaning as
8 "employer" and may also include, pursuant to an approved plan, a
9 labor organization that periodically employs individuals in
10 accordance with a collective bargaining agreement.

11 **§383-C Plan; approvals and requirements.** (a) An
12 application for approval of a plan under this part shall require
13 the employer to briefly describe the circumstances requiring the
14 use of work sharing to avoid layoffs.

15 (b) The plan shall involve the participation of at least
16 two employees and include not less than ten per cent of the
17 employer's regular permanent work force involved in the affected
18 employing unit in each week, or in at least one week of a two-
19 consecutive-week period.

20 (c) A plan approved by the director shall expire within
21 one year after the effective date of the plan.



1 §383-D Benefit payable; minimum amount. (a) Except as
2 otherwise provided in this part, each individual eligible under
3 this chapter who is unemployed in any week shall be paid, with
4 respect to that week, a weekly shared work unemployment
5 compensation benefit amount equal to the percentage of reduction
6 of the individual's wages resulting from an approved plan,
7 rounded to the nearest percentage point, multiplied by the
8 individual's weekly benefit amount.

9 (b) The benefit payable, if not a multiple of \$1, shall be
10 increased to the next highest multiple of \$1.

11 (c) If the benefit payable is not greater than \$10, the
12 department may withhold payment of the benefit until such time
13 as the accrued benefit payable under this part is greater than
14 \$10, but in no case shall the department withhold payment for
15 more than two weeks.

16 (d) An employee shall not be eligible to receive any
17 benefits under this part unless the employer agrees, in writing,
18 and the bargaining unit, if any, pursuant to any applicable
19 collective bargaining agreement agrees, in writing, to
20 voluntarily participate in the shared work unemployment
21 insurance benefit program created by this part.



1 **§383-E Prohibition against multiple benefit eligibility;**
2 **extended claim; offset.** (a) No individual who receives any
3 benefits under this part during any week shall be eligible for
4 any other benefit under this chapter while in employment status
5 with the regular employer who initiated the program of sharing
6 work under this part. No benefits under this part shall be
7 payable on any type of extended claim.

8 (b) Any amount payable under this part shall be reduced by
9 the amount of any and all compensation payable for personal
10 services, whether performed as an employee or an independent
11 contractor, or as a juror or as a witness, except compensation
12 payable by the regular employer under a shared work plan.

13 **§383-F Rulemaking; consistency with federal regulations.**
14 Except as otherwise provided or if inconsistent with this part,
15 all provisions of this chapter and applicable rules apply to
16 this part. The department is authorized to adopt rules in
17 accordance with chapter 91 to effect the purposes of this part.
18 Rules shall be consistent with federal law.

19 **§383-G Miscellaneous.** (a) The department shall not be
20 required to notify an employer of additional claims that result
21 from an approved plan submitted by the employer under which
22 benefits are not paid in each week.

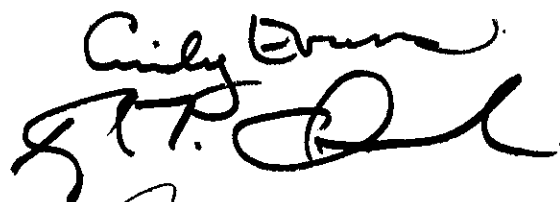
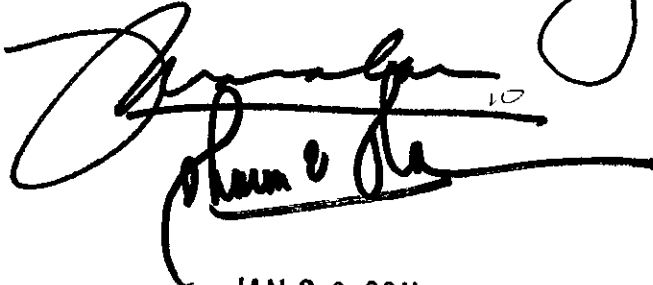
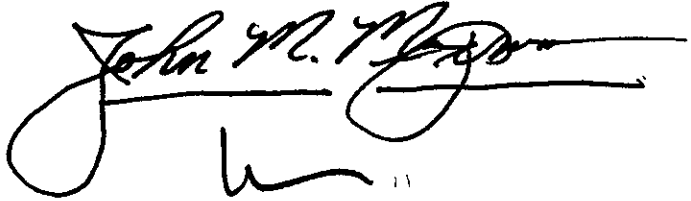


1 (b) The director may terminate a shared work plan for good
2 cause if the plan is not being carried out according to its
3 terms and intent."

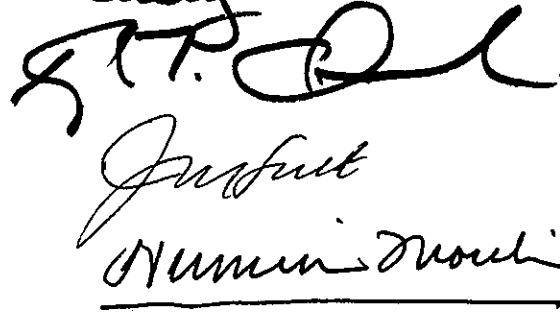
4 SECTION 2. In codifying the new sections added by section
5 1 of this Act, the revisor of statutes shall substitute
6 appropriate section numbers for the letters used in designating
7 the new sections in this Act.

8 SECTION 3. This Act shall take effect upon its approval.
9

INTRODUCED BY:



JAN 20 2011



Report Title:

Employment Security

Description:

Establishes a voluntary work sharing program for purposes of unemployment compensation within the department of labor and industrial relations.

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

