

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 4-64

"District of Columbia Unemployment Compensation Act Amendments Act of 1981".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 4-269 on first and second readings, October 13, 1981 and October 27, 1981, respectively. Following the signature of the Mayor on November 4, 1981, this legislation was assigned Act No. 4-110, published in the November 20, 1981 edition of the D.C. Register, (Vol. 28 page 4936) and transmitted to Congress on November 12, 1981 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 4-64, effective February 4, 1982.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

November	12,13,16,17,18,19,20,23,24,30
December	1,2,3,4,7,8,9,10,11,14,15,16
January	25,26,27,28,29
February	1,2,3

D.C. LAW 4-64

Enrolled Original

EFFECTIVE DATE FEB 04 1981

AN ACT

D.C. ACT 4 - 110

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOV 04 1981

To amend the District of Columbia Unemployment Compensation Act in order to implement the Multiemployers Pension Plan Amendments Act of 1980 and the Omnibus Reconciliation Act of 1980.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "District of Columbia Unemployment Compensation Act Amendments Act of 1981".

Sec. 2. Section 7(g) of the District of Columbia Unemployment Compensation Act, approved December 22, 1971 (85 Stat. 768; D.C. Code, sec. 46-108(g)) is amended by adding at the end thereof the following paragraphs to read as follows:

CODIFICATION
D.C. Code,
sec. 46-108
(1981 ed.)

"(7)(A) Cessation of extended benefits when paid under an interstate claim in a state where an extended benefit period is not in effect. In weeks commencing after June 30, 1981, except as provided in subparagraph (B), an individual shall not be eligible for extended benefits for such week if:

"(i) extended benefits are payable for such week pursuant to an interstate claim filed in any state under the interstate payment plan; and

"(ii) no extended benefit period is in effect for such

week in such state.

"(B) Subparagraph (A) shall not apply with respect to the first two weeks for which extended benefits are payable (as determined without regard to this paragraph) pursuant to an interstate benefit payment plan to the individual with respect to the benefit year.

"(8) (A) Notwithstanding the provisions of section 7(g)(8)(B), an individual shall be ineligible for payment of extended benefits for any week of unemployment commencing after March 31, 1981, in his eligibility period if the Director finds that during such period:

"(i) he failed to accept any offer of suitable work (as defined under section 7(g)(8)(C)) or failed to apply for any suitable work to which he was referred by the Director; or

"(ii) he failed to actively engage in seeking work as prescribed under section 7(g)(8)(E).

"(B) Any individual who has been found ineligible for extended benefits by reason of the provisions in section 7(g)(8)(A) shall also be denied benefits beginning with the first day of the week following the week in which such failure occurred and until he has been employed in each of four subsequent weeks (whether or not consecutive) and has earned remuneration equal to not less than four times the extended weekly benefit amount.

"(C) For purposes of paragraph (8), the term 'suitable

is within such individual's capabilities: Provided, That the gross average weekly remuneration payable for the work must:

"(i) exceed the sum of:

"(I) the individual's extended weekly benefit amount as determined under section 7(g)(4) plus;

"(II) the amount, if any, of supplemental unemployment benefits (as defined in section 1 of An Act to amend the Internal Revenue Code of 1954, to provide an exemption from income tax for supplemental unemployment benefit trusts, approved July 14, 1960 (74 Stat. 534; 26 U.S.C. sec. 501(c)(17)(D)) payable to such individual for such week; and

"(ii) pay wages not less than the higher of: (I) the minimum wage provided by section 6(a)(1) of the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1062; 29 U.S.C. sec. 206), without regard to any exemption; or

"(II) the applicable state or local minimum wage;

" Provided, Further, That no individual shall be denied extended benefits for failure to accept an offer of suitable work or apply for any job which meets the definition of suitability as described above if:

"(i) the position was not offered to such individual in writing or was not listed with the employment service;

"(ii) such failure could not result in a denial of

that the criteria of suitability in that section are not inconsistent with the provisions of subparagraph (C); or

"(iii) the individual furnishes satisfactory evidence to the Director that his prospects for obtaining work in his customary occupation within a reasonably short period are good. If such evidence is deemed satisfactory for this purpose, the determination of whether any work is suitable with respect to such individual shall be made in accordance with the definition of suitable work for regular benefit claimants in section 10(c) of the act without regard to the definition specified by subparagraph (C).

"(D) Notwithstanding the provisions of subparagraph (B) to the contrary, no work shall be deemed to be suitable work for an individual which does not accord with the labor standard provisions required by section 3304(a)(5) of the Federal Unemployment Tax Act, approved August 16, 1954 (68A Stat. 444; 29 U.S.C. sec. 3304(a)(5)) and set forth under section 10(d)(1) of the act.

"(E) For the purposes of section 7(g)(8)(A)(i), an individual shall be treated as actively engaged in seeking work during any week if:

"(i) the individual has engaged in a systematic and sustained effort to obtain work during such week; and

"(ii) the individual furnishes tangible evidence that he has engaged in such effort during such week.

work which meets the criteria prescribed in subparagraph (C).

"(G) An individual shall not be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period if such individual has been disqualified for regular benefits or extended benefits under this act because the individual voluntarily left his most recent work without good cause connected with the work, was discharged for misconduct, or failed to accept an offer of or apply for suitable work, unless such individual has returned to work, has been employed at least four weeks, and has earned an amount equal to or greater than four times his weekly benefit.


"(H) During the extended benefit period, the eligibility requirements of paragraph (8) shall also apply to those weeks of benefits for which sharable compensation is payable under the terms of the Federal-State Extended Unemployment Benefits Act of 1970, approved August 10, 1970 (84 Stat. 708; 26 U.S.C. sec. 3304)."

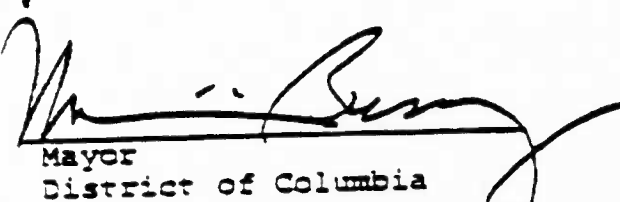
Sec. 4. This act shall take effect after a thirty (30)-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of

Enrolled Original

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sec. 1-233(c)(1)).


 Chairman
 Council of the District of Columbia


 Mayor
 District of Columbia

APPROVED: November 4, 1981



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Four
First Session

BOOK NO: B 4-269

Item on Consent Calendar

ACTION: Adopted First Reading, 10-13-81

VOICE VOTE: Unanimous

ABSENT: MOORE

ROLL CALL VOTE:

CONC. MEMBER	AVE	IN	NO	V.	A.	B.	CONC. MEMBER	AVE	IN	NO	V.	A.	B.	CONC. MEMBER	AVE	IN	NO	V.	A.	B.	
GEN. BROWN							IGNE							SPALDING							
WYNER							MASON							WILSON							
CARLE							MOORE, JR.														
CRANFORD							RAY														
JARVIS							RECLARK														

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

11-3-81

Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 10-27-81

VOICE VOTE: Unanimous

ABSENT: MOORE

ROLL CALL VOTE:

CONC. MEMBER	AVE	IN	NO	V.	A.	B.	CONC. MEMBER	AVE	IN	NO	V.	A.	B.	CONC. MEMBER	AVE	IN	NO	V.	A.	B.	
GEN. BROWN							IGNE							SPALDING							
WYNER							MASON							WILSON							
CARLE							MOORE, JR.														
CRANFORD							RAY														
JARVIS							RECLARK														

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

11-3-81

Date

Item on Consent Calendar

ACTION: _____

VOICE VOTE: _____

ABSENT: _____

ROLL CALL VOTE:

CONC. MEMBER	AVE	IN	NO	V.	A.	B.	CONC. MEMBER	AVE	IN	NO	V.	A.	B.	CONC. MEMBER	AVE	IN	NO	V.	A.	B.	
GEN. BROWN							IGNE							SPALDING							
WYNER							MASON							WILSON							
CARLE							MOORE, JR.														
CRANFORD							RAY														
JARVIS							RECLARK														

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD