

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1836

Short Title: Employment Funds/Benefits.

(Public)

Sponsors: Representatives G. Miller; and Wainwright.

Referred to: Business and Labor.

May 30, 1994

A BILL TO BE ENTITLED

AN ACT TO AMEND THE GENERAL STATUTES TO COMPLY WITH THE
FEDERAL WORKER PROFILING INITIATIVE TO AVOID LOSS OF
FEDERAL GRANT FUNDS TO THE STATE, AND TO INCREASE THE
WEEKLY UNEMPLOYMENT BENEFIT AMOUNT AND DURATION FOR
ELIGIBLE UNEMPLOYMENT INSURANCE CLAIMANTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 96-8 is amended by adding the following new subdivision to
read:

"(27) 'Reemployment services', for the purposes of this Chapter, means
job search assistance and job placement services, such as
counselling, testing, and providing occupational and labor market
information, assessment, job search workshops, job clubs, referrals
to employers, and other similar services.'"

Sec. 2. G.S. 96-13(a) is amended by adding the following new subdivision to
read:

"(5) The individual has accepted and participated in reemployment
services, such as job search assistance services, if the individual
has been determined to be likely to exhaust regular benefits and
will need employment services pursuant to a profiling system
established by the Commission, unless it is determined that:

a. The individual has completed such services; or

b. There is justifiable cause for such individual's failure to
participate in such service.'"

1 Sec. 3. Chapter 96 of the General Statutes is amended by adding the
2 following new section to read:

3 **"§ 96-30. Worker profiling system established.**

4 The Employment Service Division shall, as required by the United States
5 Department of Labor, establish and utilize a system of profiling all new claimants for
6 regular unemployment insurance benefits that:

- 7 (1) Identifies which claimants will be likely to exhaust regular
8 unemployment insurance benefits and will need job search
9 assistance services to make a successful transition to new
10 employment;
11 (2) Refers claimants identified pursuant to subdivision (1) to
12 reemployment services as defined in G.S. 96-8(27);
13 (3) Collects follow-up information relating to the services received by
14 such claimants and the employment outcomes for such claimants
15 subsequent to receiving such services and utilizes such information
16 in making identification pursuant to subdivision (1); and
17 (4) Meets such other requirements as the United States Secretary of
18 Labor determines are appropriate."

19 Sec. 4. G.S. 96-12(b)(1) reads as rewritten:

- 20 (b) (1) a. Repealed by Session Laws 1977, c. 727, s. 52.
21 b. ~~Each eligible individual whose benefit year begins on or after~~
22 ~~the first day of October, 1974, who is totally unemployed as~~
23 ~~defined by G.S. 96-8(10)a, and who files a valid claim, shall be~~
24 ~~paid benefits with respect to such week or weeks at a rate per~~
25 ~~week equal to the amount obtained by dividing such~~
26 ~~individual's high quarter wages paid during his base period by~~
27 ~~26, rounded to the nearest dollar, but shall not be less than~~
28 ~~fifteen dollars (\$15.00).~~
29 Each eligible individual whose benefit year begins on or after
30 the first day of October 1983, who is totally unemployed as
31 defined by G.S. 96-8(10), and who files a valid claim, shall be
32 paid benefits with respect to such week or weeks at a rate equal
33 to the amount obtained by dividing the sum of the wages paid to
34 such individual during his two highest paid base period quarters
35 by 52 and, if the amount so obtained is not a multiple of one
36 dollar, rounded to the next lower whole dollar; provided that if
37 the amount so obtained, after rounding, is less than fifteen
38 dollars (\$15.00), no benefits shall be paid.
39 Each eligible individual whose benefit year begins on or after
40 the first day of August, 1994, who is totally unemployed as
41 defined by G.S. 96-8(10), and who files a valid claim, shall be
42 paid benefits with respect to such week or weeks at a rate equal
43 to the amount obtained by dividing such individual's high-
44 quarter wages paid during the individual's base period by 26

1 and, if the amount so obtained is not a multiple of one dollar,
2 rounded to the next lower whole dollar; provided that if the
3 amount so obtained, after rounding, is less than fifteen dollars
4 (\$15.00), no benefits shall be paid.

5 c. Repealed by Session Laws 1981, c. 160, s. 17."

6 Sec. 5. G.S. 96-12(d) reads as rewritten:

7 "(d) Duration of Benefits. —~~On and after October 1, 1974, the maximum benefit~~
8 ~~amount available to eligible individuals shall be determined by dividing the individual's~~
9 ~~base period wages by his high quarter wages and multiplying that quotient by eight and~~
10 ~~two thirds, rounding the result to the nearest whole number, and then multiplying the~~
11 ~~figure so derived by the weekly benefit amount available to that individual; provided the~~
12 ~~minimum total amount of benefits available to eligible individuals shall not be less than~~
13 ~~13 times his weekly benefit amount, nor shall any eligible individual be entitled to more~~
14 ~~than 26 times his weekly benefit amount during any benefit year, except that such~~
15 ~~benefits may be extended further in accordance with the provisions of G.S. 96-12(e). On~~
16 ~~and after October 1, 1983, the maximum benefit amount available to eligible individuals~~
17 ~~shall be determined by dividing the individual's base-period wages by his high-quarter~~
18 ~~wages and multiplying that quotient by eight, rounding the result to the nearest whole~~
19 ~~number, and then multiplying the figure so derived by the weekly benefit amount~~
20 ~~available to that individual; provided the minimum total amount of benefits available to~~
21 ~~eligible individuals shall not be less than 13 times his weekly benefit amount, nor shall~~
22 ~~any eligible individual be entitled to more than 26 times his weekly benefit amount~~
23 ~~during any benefit year, except that such benefits may be extended further in accordance~~
24 ~~with the provisions of G.S. 96-12(e). The Commission shall establish and maintain~~
25 ~~individual wage record accounts for each individual who earns wages in covered~~
26 ~~employment, until such time as such wages would not be necessary for benefit~~
27 ~~purposes. On and after August 1, 1994, the maximum benefit amount available to~~
28 ~~eligible individuals shall be determined by dividing the individual's base-period wages~~
29 ~~by the individual's high-quarter wages and multiplying that quotient by eight and two-~~
30 ~~thirds, rounding the result to the nearest whole number, and then multiplying the figure~~
31 ~~so derived by the weekly benefit amount available to that individual; provided the~~
32 ~~minimum total amount of benefits available to eligible individuals shall not be less than~~
33 ~~13 times the individual's weekly benefit amount, nor shall any eligible individual be~~
34 ~~entitled to more than 26 times the individual's weekly benefit amount during any benefit~~
35 ~~year, except that such benefits may be extended further in accordance with the~~
36 ~~provisions of G.S. 96-12(e). The Commission shall establish and maintain individual~~
37 ~~wage record accounts for each individual who earns wages in covered employment,~~
38 ~~until such time as such wages would not be necessary for benefit purposes."~~

39 Sec. 6. Sections 4 and 5 of this act become effective August 1, 1994. The
40 remainder of this act is effective upon ratification.