

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 894
Commerce Committee Substitute Adopted 5/13/09

Short Title: UI/School Teacher Related Amendments.

(Public)

Sponsors:

Referred to:

March 26, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS RELATING TO THE
3 DEFINITION OF SUBSTITUTE TEACHER AND OTHER SCHOOL-RELATED
4 POSITIONS IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE
5 BENEFITS AND RELATING TO DISQUALIFICATION FOR BENEFITS DUE TO
6 INABILITY TO OBTAIN A LICENSE OR CERTIFICATION NECESSARY FOR THE
7 PERFORMANCE OF AN INDIVIDUAL'S EMPLOYMENT.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 96-8(6)k. is amended by adding the following new
10 sub-subdivisions to read:

11 "21. Service performed by a substitute teacher or other substitute
12 employee for a public, charter, or private school unless the
13 individual was employed as a full-time permanent substitute.
14 For the purposes of this sub-subdivision only, an individual is
15 employed as a full-time substitute when employed to work on
16 an indefinite basis no less than 30 hours per week.

17 22. Performance of extra duties for a public, charter, or private
18 school. Such extra duties include coaching athletics, acting as
19 a choral director, or such other similar activities."

20 SECTION 2. G.S. 96-8(10)e. is repealed.

21 SECTION 3. G.S. 96-14(2b) reads as rewritten:

22 "(2b) For the duration of his unemployment beginning with the first day of the
23 first week during which or after the disqualifying act occurs with respect to
24 which week an individual files a claim for benefits if it is determined by the
25 Commission that the individual is, at the time such claim is filed,
26 unemployed because the individual has been discharged from employment
27 because a license, certificate, permit, bond, or surety that is necessary for the
28 performance of ~~his~~ the individual's employment and that the individual is
29 responsible to supply ~~has~~ has been revoked, suspended, or otherwise lost to
30 ~~him, the individual, or his~~ the individual's ability to successfully apply or the
31 individual's application therefor has been lost or denied for a cause that was
32 within his power to control, guard against, or prevent. No showing of
33 misconduct connected with the work or substantial fault connected with the
34 work not rising to the level of misconduct shall be required in order for an
35 individual to be disqualified for benefits under this subdivision."

36 SECTION 4. This act is effective when it becomes law and applies to claims filed
37 on or after that date.

