

(SENATE AUTHORS: SIEBEN)

DATE	D-PG	OFFICIAL STATUS
01/10/2011	34	Introduction and first reading Referred to Jobs and Economic Growth

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A bill for an act

relating to unemployment insurance; modifying exceptions for part-time

employers; amending Minnesota Statutes 2010, section 268.047, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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Section 1. Minnesota Statutes 2010, section 268.047, subdivision 2, is amended to read:

Subd. 2. **Exceptions for all employers.** Unemployment benefits paid will not be

used in computing the future tax rate of a taxpaying base period employer or charged to

the reimbursable account of a base period nonprofit or government employer that has

elected to be liable for reimbursements when:

(1) the applicant was discharged from the employment because of aggravated

employment misconduct as determined under section 268.095. This exception applies

only to unemployment benefits paid for periods after the applicant's discharge from

employment;

(2) an applicant's discharge from that employment occurred because a law required

removal of the applicant from the position the applicant held;

(3) the employer provided ~~regularly scheduled~~ part-time employment to the

applicant during the applicant's base period and continues to provide the applicant with

~~regularly scheduled~~ part-time employment during the benefit year of at least 90 percent

of the part-time employment provided in the base period, and is an involved employer

because of the applicant's loss of other employment. This exception terminates effective

the first week that the employer fails to meet the benefit year employment requirements.

This exception applies to educational institutions without consideration of the period

between academic years or terms;

S.F. No. 6, as introduced - 87th Legislative Session (2011-2012) [11-0596]

(4) the employer is a fire department or firefighting corporation or operator of a life-support transportation service, and continues to provide employment for the applicant as a volunteer firefighter or a volunteer ambulance service personnel during the benefit year on the same basis that employment was provided in the base period. This exception terminates effective the first week that the employer fails to meet the benefit year employment requirements;

(5) the applicant's unemployment from this employer was a direct result of the condemnation of property by a governmental agency, a fire, flood, or act of nature, where 25 percent or more of the employees employed at the affected location, including the applicant, became unemployed as a result. This exception does not apply where the unemployment was a direct result of the intentional act of the employer or a person acting on behalf of the employer;

(6) the unemployment benefits were paid by another state as a result of the transferring of wage credits under a combined wage arrangement provided for in section 268.131;

(7) the applicant stopped working because of a labor dispute at the applicant's primary place of employment if the employer was not a party to the labor dispute;

(8) the unemployment benefits were determined overpaid unemployment benefits under section 268.18;

(9) the applicant was employed as a replacement worker, for a period of six months or longer, for an employee who is in the military reserve and was called for active duty during the time the applicant worked as a replacement, and the applicant was laid off because the employee returned to employment after active duty; or

(10) the trust fund was reimbursed for the unemployment benefits by the federal government.

EFFECTIVE DATE. This section is effective the day following final enactment.