

# **WEST VIRGINIA LEGISLATURE**

**2017 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 316**

BY SENATOR BLAIR

[Originating in the Committee on the Workforce;

reported on March 23, 2017]



1 A BILL to amend and reenact §21A-6-1a of the Code of West Virginia, 1931, as amended, relating  
2 to seasonal employment in connection with unemployment compensation benefits;  
3 establishing that seasonal employment shall not be distinguishable from employment in  
4 general for unemployment compensation benefits determination; and clarifying that  
5 seasonal employment has no bearing on ability to file a claim for unemployment benefits  
6 provided other eligibility requirements are satisfied.

*Be it enacted by the Legislature of West Virginia:*

1 That §21A-6-1a of the Code of West Virginia, 1931, as amended, be amended and  
2 reenacted to read as follows:

**ARTICLE 6. EMPLOYEE ELIGIBILITY; BENEFITS.**

**§21A-6-1a. Seasonal employment.**

1 ~~An individual working less than one hundred days during his base period in an industry~~  
2 ~~recognized as seasonal, such as food processing and canning, shall not be eligible for benefits~~  
3 ~~unless he has earned wages during his base period in other covered employment equal to not~~  
4 ~~less than \$100.—~~ No distinction shall be made between employees in general and employees  
5 who work on a seasonal basis. The fact that an employee may have only seasonal employment  
6 has no bearing on his or her ability to file a claim for benefits following the loss of such employment  
7 provided all eligibility qualifications of this chapter are satisfied.