WEST virginia legislature

2024 regular session

Enrolled

Committee Substitute

for

Senate Bill 841

By Senator Woodrum

[Passed March 9, 2024; in effect 90 days from passage]

AN ACT to amend and reenact §21A-1A-28 of the Code of West Virginia, 1931, as amended; to amend and reenact §21A-6-1 and §21A-6-10 of said code; to amend said code by adding thereto an new section, designated §21A-6-1d; to amend and reenact §21A-6A-4 and §21A-6A-5 of said code; and to amend §21A-6B-6 of said code; all relating to the amount of unemployment taxes and benefits; removing definitions; modifying the calculation of the taxable wage base; modifying the maximum benefit rate; requiring work search activities to qualify for unemployment benefits; defining what constitutes work search activities; mandating submittal of proof of work search activities; providing for verification of work search activities; granting commissioner of Workforce West Virginia discretion in verification of work search activities; mandating establishment of process to refer individuals seeking unemployment benefits to job opportunities; requiring individuals receiving referrals to suitable work to apply for and accept that work; mandating employers to report refusal of offer of employment to commissioner and other matters; allowing individuals who accept part-time non-suitable employment to receive unemployment benefits without reduction for wages under certain circumstances; making certain individuals applying for or receiving unemployment benefits exempt from work search requirements; establishing process for notification of work search activity requirements; requiring rulemaking; setting internal effective dates; modifying the total extended benefit amount; and modifying the short-time compensation weekly benefit amount.

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

ARTICLE 1A. DEFINITIONS.

**§21A-1A-28. Wages.**

(a) "Wages" means all remuneration for personal service, including commissions, gratuities customarily received by an individual in the course of employment from persons other than the employing unit, as long as such gratuities equal or exceed an amount of not less than $20 each month and which are required to be reported to the employer by the employee, bonuses and the cash value of all remuneration in any medium other than cash except for agricultural labor and domestic service. The term “wages” includes remuneration for service rendered to the state as a member of the state National Guard or Air National Guard only when serving on a temporary basis pursuant to a call made by the Governor under §15-1D-1 and §15-1D-2 of this code.

(b) The term "wages" does not include:

(1) That part of the remuneration which, after remuneration equal to $9,500 is paid during a calendar year to an individual by an employer or his or her predecessor with respect to employment during any calendar year, is paid to such individual by such employer during such calendar year unless that part of the remuneration is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund. For the purposes of this section, the term "employment" includes service constituting employment under any unemployment compensation law of another state; or which as a condition for full tax credit against the tax imposed by the federal Unemployment Tax Act is required to be covered under this chapter; and, except that for the purposes of §21A-6-1, §21A-6-10, §21A-6-11, and §21A-6-13 of this code, all remuneration earned by an individual in employment shall be credited to the individual and included in his or her computation of base period wages: *Provided*, That the remuneration paid to an individual by an employer with respect to employment in another state or other states upon which contributions were required of and paid by such employer under an unemployment compensation law of such other state or states shall be included as a part of the remuneration equal to the amounts of $9,500. In applying such limitation on the amount of remuneration that is taxable, an employer shall be accorded the benefit of all or any portion of such amount which may have been paid by its predecessor or predecessors: *Provided, however*, That if the definition of the term "wages" as contained in Section 3306(b) of the Internal Revenue Code of 1954, as amended, is amended to include remuneration in excess of $9,500 paid to an individual by an employer under the federal Unemployment Tax Act during any calendar year, wages for the purposes of this definition shall include remuneration paid in a calendar year to an individual by an employer subject to this chapter or his or her predecessor with respect to employment during any calendar year up to an amount equal to the amount of remuneration taxable under the federal Unemployment Tax Act;

(2) The amount of any payment made (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) to, or on behalf of, an individual in its employ or any of his or her dependents, under a plan or system established by an employer which makes provision for individuals in its employ generally (or for such individuals and their dependents), or for a class or classes of such individuals (or for a class or classes of such individuals and their dependents) on account of: (A) Retirement; or (B) sickness or accident disability payments made to an employee under an approved state workers' compensation law; or (C) medical or hospitalization expenses in connection with sickness or accident disability; or (D) death;

(3) Any payment made by an employer to an individual in its employ (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) on account of retirement;

(4) Any payment made by an employer on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability to, or on behalf of, an individual in its employ after the expiration of six calendar months following the last calendar month in which such individual worked for such employer;

(5) Any payment made by an employer to, or on behalf of, an individual in its employ or his or her beneficiary: (A) From or to a trust described in Section 401(a) which is exempt from tax under Section 501(a) of the federal Internal Revenue Code at the time of such payments unless such payment is made to such individual as an employee of the trust as remuneration for services rendered by such individual and not as a beneficiary of the trust; or (B) under or to an annuity plan which, at the time of such payment, is a plan described in Section 403(a) of the federal Internal Revenue Code;

(6) The payment by an employer of the tax imposed upon an employer under Section 3101 of the federal Internal Revenue Code with respect to remuneration paid to an employee for domestic service in a private home or the employer of agricultural labor;

(7) Remuneration paid by an employer in any medium other than cash to an individual in its employ for service not in the course of the employer's trade or business;

(8) Any payment (other than vacation or sick pay) made by an employer to an individual in its employ after the month in which he or she attains the age of 65 years if he or she did not work for the employer in the period for which such payment is made;

(9) Payments, not required under any contract of hire, made to an individual with respect to his or her period of training or service in the armed forces of the United States by an employer by which such individual was formerly employed; and

(10) Vacation pay, severance pay or savings plans received by an individual before or after becoming totally or partially unemployed but earned prior to becoming totally or partially unemployed: *Provided,* That the term totally or partially unemployed does not include: (A) Employees who are on vacation by reason of the request of the employees or their duly authorized agent, for a vacation at a specific time, and which request by the employees or their agent is acceded to by their employer; (B) employees who are on vacation by reason of the employer's request provided they are so informed at least 90 days prior to such vacation; or (C) employees who are on vacation by reason of the employer's request where such vacation is in addition to the regular vacation and the employer compensates such employee at a rate equal to or exceeding their regular daily rate of pay during the vacation period.

(c) The reasonable cash value of remuneration in any medium other than cash shall be estimated and determined in accordance with rules prescribed by the commissioner, except for remuneration other than cash for services performed in agricultural labor and domestic service.

 (d) The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

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

§21A-6-1. Eligibility qualifications.

An unemployed individual shall be eligible to receive benefits only if the commissioner finds that:

(1) He or she has registered for work at and thereafter continues to report at an employment office in accordance with the regulations of the commissioner;

(2) He or she has made a claim for benefits in accordance with the provisions of article seven of this chapter §21A-7-1 *et seq*. of this code and has furnished his or her Social Security number, or numbers if he or she has more than one such number;

(3) He or she is able to work and is available for full-time work for which he or she is fitted by prior training or experience and is actively seeking work as defined in §21A-6-1d of this code;

(4) He or she has been totally or partially unemployed during his or her benefit year for a waiting period of one-week prior to the week for which he or she claims benefits for total or partial unemployment;

(5) He or she has within his or her base period been paid wages for employment equal to not less than $2,200 and must have earned wages in more than one quarter of his or her base period or, if he or she is not eligible under his or her base period, has within his or her alternative base period been paid wages for employment equal to not less than $2,200 and must have earned wages in more than one quarter of his or her alternative base period; and

(6) He or she participates in reemployment services as defined in §21A-6-1d of this code, such as job search assistance services, if the individual has been determined to be likely to exhaust regular benefits and needs reemployment services pursuant to a profiling system established by the commissioner, unless the commissioner determines that:

(A) The individual has completed such services; or

(B) There is justifiable cause for the claimant's failure to participate in such services.

The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

**§21A-6-1d. Jobs and Reemployment Act.**

(a) In addition to compliance with all other eligibility requirements, an individual shall be eligible, and shall remain eligible, for unemployment benefits only if he or she actively seeks, and continues to seek, work by conducting at least four work search activities weekly, defined as:

(1) Registering for work with the state’s labor exchange system, placement firm, temporary work agencies, or educational institution with job placement offices;

(2) Logging on and looking for work in the state’s labor exchange or other online job matching system;

(3) Using reemployment services in job centers or completing similar online or self-service activities, including, but not limited to, obtaining and using labor market and career information, participating in Reemployment Services and Eligibility Assessment activities, participating in skills assessment for occupational matching, instructional workshops, or other specialized activities;

(4) Completing job applications for employers that have, or are reasonably expected to have, job openings, or following through on job referrals or job development attempts, as directed by Workforce West Virginia staff;

(5) Applying for or participating in employment and training services provided by partner programs in job centers;

(6) Participating in work-related networking events, such as job clubs, job fairs, industry association events, or networking groups;

(7) Making contacts with, or in-person visits to, employers that have, or are reasonably expected to have, job openings;

(8) Taking a civil service examination;

(9) Going on interviews with employers, either in-person or virtually; or

(10) Performing any other work search activities prescribed or allowed by rules promulgated by Workforce West Virginia.

(b) The commissioner may:

(1) Require an individual, at the time of application for unemployment benefits and weekly thereafter, to provide proof of all his or her work search activities;

(2) Verify submissions of proof of work search activities by individuals applying for or receiving unemployment benefits; and

(3) Determine any individual who fails to perform work search activities or provide proof of work search activities as required by this section, ineligible to receive unemployment benefits unless the individual can reasonably explain his or her failure to do so or timely remedy the failure to provide proof of his or her work search activity.

(c) The commissioner shall have discretion to determine the sufficiency of the proof of work search activities submitted, the explanation of a failure to submit such proof, the provision of such proof after an inaccuracy in the proof provided is identified, and whether an individual has otherwise complied with the requirements of this section.

(d) The commissioner shall, utilizing existing resources:

(1) Establish a process by which Workforce West Virginia will share open positions submitted to, or posted by, the Division of Personnel or any other state-administered job board by employers directly with individuals applying for or receiving unemployment benefits; and

(2) Establish a process by which, for the purpose of helping individuals applying for or receiving unemployment benefits secure suitable work, Workforce West Virginia shall refer individuals applying for or receiving unemployment benefits to such open positions, including facilitating contact between employers and those individuals, and monitoring whether those individuals are sufficiently responsive to a referral.

(e) An individual applying for or receiving unemployment benefits who receives referrals from Workforce West Virginia to a job or jobs considered to be suitable, as that term is defined in this chapter, shall apply for that job or those jobs within one-week of receiving the referrals and accept employment in suitable work if offered.

(f) Employers shall report the refusal of any individual who is receiving unemployment benefits and who receives job referrals from Workforce West Virginia to accept an offer of employment to the commissioner and also report those that accept employment and either leave or are dismissed from that employment within six weeks of the start date of that employment. The report shall be made in writing in a manner prescribed by the commissioner and shall be signed by the employer. The report shall become part of the file of the individual’s claim for benefits.

(g) Individuals receiving unemployment benefits who accept a referral to a part-time open position or otherwise accept part-time employment for which the wages are less than his or her weekly benefit rate, shall continue to receive unemployment benefits without reduction for those wages for the duration of his or her benefits period.

(h) With the exception of individuals who have received or been served with a summons for jury duty or are serving on a jury in any court of this state, the United States, or any state of the United States; are receiving vocational training as described in the provisions of §21A-6-4 of this code; are partially unemployed and are receiving low-earnings reports from their employer; are eligible to receive short-time compensation under a work-sharing plan as described in §21A-6B-5 of this code; or who are members in good standing of a union that refers its members to employment from a union hall; all individuals applying for or receiving unemployment benefits shall be subject to the requirements of this section, including, but not limited to, individuals who are seasonally unemployed or laid off subject to recall by their employer.

(i) Workforce West Virginia shall notify individuals seeking benefits, at the time an initial claim is filed and at any other time during the benefit year that the requirements substantively change, of the obligation to actively seek work. Delivery of the notification shall be made by the method selected by the individual seeking benefits, and may include United States mail, email, online mailbox, or text message. The notification shall include, at a minimum, the types of work search activities that are acceptable; the number of work search activities that are required in any week; the requirement that work search activities be documented; and the requirement to apply, and accept if offered, suitable jobs referred by the agency.

(j) The commissioner shall promulgate rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code.

(k) The provisions of this section shall become effective July 1, 2024.

**§21A-6-10. Benefit rate — total unemployment;**

(a) Each eligible individual who is totally unemployed in any week shall be paid benefits with respect to that week at the weekly rate appearing in Column (C) in the benefit table in this section, on the line on which in Column (A) there is indicated the employee’s wage class, except as otherwise provided under the term "total and partial unemployment" in §21A-1A-27 of this code. The employee's wage class shall be determined by his or her base period wages as shown in Column (B) in the benefit table. The right of an employee to receive benefits shall not be prejudiced nor the amount thereof be diminished by reason of failure by an employer to pay either the wages earned by the employee or the contribution due on such wages.

(b) The maximum benefit for each wage class shall be equal to 26 times the weekly benefit rate.

BENEFIT TABLE

 A B C

WAGE WAGES IN WEEKLY MAXIMUM

CLASS BASE PERIOD BENEFIT RATE BENEFIT RATE

 Under $ 2,200.00 Ineligible

1 $2,200.00 - 2,359.99 24.00 624.00

2 2,350.00 - 2,499.99 25.00 650.00

3 2,500.00 - 2,649.99 27.00 702.00

4 2,650.00 - 2,799.99 28.00 728.00

5 2,800.00 - 2,949.99 30.00 780.00

6 2,950.00 - 3,099.99 31.00 806.00

7 3,100.00 - 3,249.99 33.00 858.00

8 3,250.00 - 3,399.99 35.00 910.00

9 3,400.00 - 3,549.99 36.00 936.00

10 3,550.00 - 3,699.99 38.00 988.00

11 3,700.00 - 3,849.99 39.00 1,014.00

12 3,850.00 - 3,999.99 41.00 1,066.00

13 4,000.00 - 4,149.99 43.00 1,118.00

14 4,150.00 - 4,299.99 44.00 1,144.00

15 4,300.00 - 4,449.99 46.00 1,196.00

16 4,450.00 - 4,599.99 47.00 1,222.00

17 4,600.00 - 4,749.99 49.00 1,274.00

18 4,750.00 - 4,899.99 51.00 1,326.00

19 4,900.00 - 5,049.99 52.00 1,352.00

20 5,050.00 - 5,199.99 54.00 1,404.00

21 5,200.00 - 5,349.99 55.00 1,430.00

22 5,350.00 - 5,499.99 57.00 1,482.00

23 5,500.00 - 5,649.99 58.00 1,508.00

24 5,650.00 - 5,799.99 60.00 1,560.00

25 5,800.00 - 5,949.99 62.00 1,612.00

26 5,950.00 - 6,099.99 63.00 1,638.00

27 6,100.00 - 6,249.99 65.00 1,690.00

28 6,250.00 - 6,399.99 66.00 1,716.00

29 6,400.00 - 6,549.99 68.00 1,768.00

30 6,550.00 - 6,699.99 70.00 1,820.00

31 6,700.00 - 6,849.99 71.00 1,846.00

32 6,850.00 - 6,999.99 73.00 1,898.00

33 7,000.00 - 7,149.99 74.00 1,924.00

34 7,150.00 - 7,299.99 76.00 1,976.00

35 7,300.00 - 7,449.99 78.00 2,028.00

36 7,450.00 - 7,599.99 79.00 2,054.00

37 7,600.00 - 7,749.99 81.00 2,106.00

38 7,750.00 - 7,899.99 82.00 2,132.00

39 7,900.00 - 8,049.99 84.00 2,184.00

40 8,050.00 - 8,199.99 85.00 2,210.00

41 8,200.00 - 8,349.99 87.00 2,262.00

42 8,350.00 - 8,499.99 89.00 2,314.00

43 8,500.00 - 8,649.99 90.00 2,340.00

44 8,650.00 - 8,799.99 92.00 2,392.00

45 8,800.00 - 8,949.99 93.00 2,418.00

46 8,950.00 - 9,099.99 95.00 2,470.00

47 9,100.00 - 9,249.99 97.00 2,522.00

48 9,250.00 - 9,399.99 98.00 2,548.00

49 9,400.00 - 9,549.99 100.00 2,600.00

50 9,550.00 - 9,699.99 101.00 2,626.00

51 9,700.00 - 9,849.99 103.00 2,678.00

52 9,850.00 - 9,999.99 104.00 2,704.00

53 10,000.00 - 10,149.99 106.00 2,756.00

54 10,150.00 - 10,299.99 108.00 2,808.00

55 10,300.00 - 10,449.99 109.00 2,834.00

56 10,450.00 - 10,599.99 111.00 2,886.00

57 10,600.00 - 10,749.99 112.00 2,912.00

58 10,750.00 - 10,899.99 114.00 2,964.00

59 10,900.00 - 11,049.99 116.00 3,016.00

60 11,050.00 - 11,199.99 117.00 3,042.00

61 11,200.00 - 11,349.99 119.00 3,094.00

62 11,350.00 - 11,499.99 120.00 3,120.00

63 11,500.00 - 11,649.99 122.00 3,172.00

64 11,650.00 - 11,799.99 124.00 3,224.00

65 11,800.00 - 11,949.99 125.00 3,250.00

66 11,950.00 - 12,099.99 127.00 3,302.00

67 12,100.00 - 12,249.99 128.00 3,328.00

68 12,250.00 - 12,399.99 130.00 3,380.00

69 12,400.00 - 12,549.99 131.00 3,406.00

70 12,550.00 - 12,699.99 133.00 3,458.00

71 12,700.00 - 12,849.99 135.00 3,510.00

72 12,850.00 - 12,999.99 136.00 3,536.00

73 13,000.00 - 13,149.99 138.00 3,588.00

74 13,150.00 - 13,299.99 139.00 3,614.00

75 13,300.00 - 13,449.99 141.00 3,666.00

76 13,450.00 - 13,599.99 143.00 3,718.00

77 13,600.00 - 13,749.99 144.00 3,744.00

78 13,750.00 - 13,899.99 146.00 3,796.00

79 13,900.00 - 14,049.99 147.00 3,822.00

80 14,050.00 - 14,199.99 149.00 3,874.00

81 14,200.00 - 14,349.99 150.00 3,900.00

82 14,350.00 - 14,499.99 152.00 3,952.00

83 14,500.00 - 14,649.99 154.00 4,004.00

84 14,650.00 - 14,799.99 155.00 4,030.00

85 14,800.00 - 14,949.99 157.00 4,082.00

86 14,950.00 - 15,099.99 158.00 4,108.00

87 15,100.00 - 15,249.99 160.00 4,160.00

88 15,250.00 - 15,399.99 162.00 4,212.00

89 15,400.00 - 15,549.99 163.00 4,238.00

90 15,550.00 - 15,699.99 165.00 4,290.00

91 15,700.00 - 15,849.99 166.00 4,316.00

92 15,850.00 - 15,999.99 168.00 4,368.00

93 16,000.00 - 16,149.99 170.00 4,420.00

94 16,150.00 - 16,299.99 171.00 4,446.00

95 16,300.00 - 16,449.99 173.00 4,498.00

96 16,450.00 - 16,599.99 174.00 4,524.00

97 16,600.00 - 16,749.99 176.00 4,576.00

98 16,750.00 - 16,899.99 177.00 4,602.00

99 16,900.00 - 17,049.99 179.00 4,654.00

100 17,050.00 - 17,199.99 181.00 4,706.00

101 17,200.00 - 17,349.99 182.00 4,732.00

102 17,350.00 - 17,499.99 184.00 4,784.00

103 17,500.00 - 17,649.99 185.00 4,810.00

104 17,650.00 - 17,799.99 187.00 4,862.00

105 17,800.00 - 17,949.99 189.00 4,914.00

106 17,950.00 - 18,099.99 190.00 4,940.00

107 18,100.00 - 18,249.99 192.00 4,992.00

108 18,250.00 - 18,399.99 193.00 5,018.00

109 18,400.00 - 18,549.99 195.00 5,070.00

110 18,550.00 - 18,699.99 196.00 5,096.00

111 18,700.00 - 18,849.99 198.00 5,148.00

112 18,850.00 - 18,999.99 200.00 5,200.00

113 19,000.00 - 19,149.99 201.00 5,226.00

114 19,150.00 - 19,299.99 203.00 5,278.00

115 19,300.00 - 19,449.99 204.00 5,304.00

116 19,450.00 - 19,599.99 206.00 5,356.00

117 19,600.00 - 19,749.99 208.00 5,408.00

118 19,750.00 - 19,899.99 209.00 5,434.00

119 19,900.00 - 20,049.99 211.00 5,486.00

120 20,050.00 - 20,199.99 212.00 5,512.00

121 20,200.00 - 20,349.99 214.00 5,564.00

122 20,350.00 - 20,499.99 216.00 5,616.00

123 20,500.00 - 20,649.99 217.00 5,642.00

124 20,650.00 - 20,799.99 219.00 5,694.00

125 20,800.00 - 20,949.99 220.00 5,720.00

126 20,950.00 - 21,099.99 222.00 5,772.00

127 21,100.00 - 21,249.99 223.00 5,798.00

128 21,250.00 - 21,399.99 225.00 5,850.00

129 21,400.00 - 21,549.99 227.00 5,902.00

130 21,550.00 - 21,699.99 228.00 5,928.00

131 21,700.00 - 21,849.99 230.00 5,980.00

132 21,850.00 - 21,999.99 231.00 6,006.00

133 22,000.00 - 22,149.99 233.00 6,058.00

134 22,150.00 - 22,299.99 235.00 6,110.00

135 22,300.00 - 22,449.99 236.00 6,136.00

136 22,450.00 - 22,599.99 238.00 6,188.00

137 22,600.00 - 22,749.99 239.00 6,214.00

138 22,750.00 - 22,899.99 241.00 6,266.00

139 22,900.00 - 23,049.99 243.00 6,318.00

140 23,050.00 - 23,199.99 244.00 6,344.00

141 23,200.00 - 23,349.99 246.00 6,396.00

142 23,350.00 - 23,499.99 247.00 6,422.00

143 23,500.00 - 23,649.99 249.00 6,474.00

144 23,650.00 - 23,799.99 250.00 6,500.00

145 23,800.00 - 23,949.99 252.00 6,552.00

146 23,950.00 - 24,099.99 254.00 6,604.00

147 24,100.00 - 24,249.99 255.00 6,630.00

148 24,250.00 - 24,399.99 257.00 6,682.00

149 24,400.00 - 24,549.99 258.00 6,708.00

150 24,550.00 - 24,699.99 260.00 6,760.00

151 24,700.00 - 24,849.99 262.00 6,812.00

152 24,850.00 - 24,999.99 263.00 6,838.00

153 25,000.00 - 25,149.99 265.00 6,890.00

154 25,150.00 - 25,299.99 266.00 6,916.00

155 25,300.00 - 25,449.99 268.00 6,968.00

156 25,450.00 - 25,599.99 269.00 6,994.00

157 25,600.00 - 25,749.99 271.00 7,046.00

158 25,750.00 - 25,899.99 273.00 7,098.00

159 25,900.00 - 26,049.99 274.00 7,124.00

160 26,050.00 - 26,199.99 276.00 7,176.00

161 26,200.00 - 26,349.99 277.00 7,202.00

162 26,350.00 - 26,499.99 279.00 7,254.00

163 26,500.00 - 26,649.99 281.00 7,306.00

164 26,650.00 - 26,799.99 282.00 7,332.00

165 26,800.00 - 26,949.99 284.00 7,384.00

166 26,950.00 - 27,099.99 285.00 7,410.00

167 27,100.00 - 27,249.99 287.00 7,462.00

168 27,250.00 - 27,399.99 289.00 7,514.00

169 27,400.00 - 27,549.99 290.00 7,540.00

170 27,550.00 - 27,699.99 292.00 7,592.00

171 27,700.00 - 27,849.99 293.00 7,618.00

172 27,850.00 - 27,999.99 295.00 7,670.00

173 28,000.00 - 28,149.99 296.00 7,696.00

174 28,150.00 - 28,299.99 298.00 7,748.00

175 28,300.00 - 28,449.99 300.00 7,800.00

176 28,450.00 - 28,599.99 301.00 7,826.00

177 28,600.00 - 28,749.99 303.00 7,878.00

178 28,750.00 - 28,899.99 304.00 7,904.00

179 28,900.00 - 29,049.99 306.00 7,956.00

180 29,050.00 - 29,199.99 308.00 8,008.00

181 29,200.00 - 29,349.99 309.00 8,034.00

182 29,350.00 - 29,499.99 311.00 8,086.00

183 29,500.00 - 29,649.99 312.00 8,112.00

184 29,650.00 - 29,799.99 314.00 8,164.00

185 29,800.00 - 29,949.99 315.00 8,190.00

186 29,950.00 - 30,099.99 317.00 8,242.00

187 30,100.00 - 30,249.99 319.00 8,294.00

188 30,250.00 - 30,399.99 320.00 8,320.00

189 30,400.00 - 30,549.99 322.00 8,372.00

190 30,550.00 - 30,699.99 323.00 8,398.00

191 30,700.00 - 30,849.99 325.00 8,450.00

192 30,850.00 - 30,999.99 327.00 8,502.00

193 31,000.00 - 31,149.99 328.00 8,528.00

194 31,150.00 - 31,299.99 330.00 8,580.00

195 31,300.00 - 31,449.99 331.00 8,606.00

196 31,450.00 - 31,599.99 333.00 8,658.00

197 31,600.00 - 31,749.99 335.00 8,710.00

198 31,750.00 - 31,899.99 336.00 8,736.00

199 31,900.00 - 32,049.99 338.00 8,788.00

200 32,050.00 - 32,199.99 339.00 8,814.00

201 32,200.00 - 32,349.99 341.00 8,866.00

202 32,350.00 - 32,499.99 342.00 8,892.00

203 32,500.00 - 32,649.99 344.00 8,944.00

204 32,650.00 - 32,799.99 346.00 8,996.00

205 32,800.00 - 32,949.99 347.00 9,022.00

206 32,950.00 - 33,099.99 349.00 9,074.00

207 33,100.00 - 33,249.99 350.00 9,100.00

208 33,250.00 - 33,399.99 352.00 9,152.00

209 33,400.00 - 33,549.99 354.00 9,204.00

210 33,550.00 - 33,699.99 355.00 9,230.00

211 33,700.00 - 33,849.99 357.00 9,282.00

212 33,850.00 - 33,999.99 358.00 9,308.00

213 34,000.00 - 34,149.99 360.00 9,360.00

214 34,150.00 - 34,299.99 361.00 9,386.00

215 34,300.00 - 34,449.99 363.00 9,438.00

216 34,450.00 - 34,599.99 365.00 9,490.00

217 34,600.00 - 34,749.99 366.00 9,516.00

218 34,750.00 - 34,899.99 368.00 9,568.00

219 34,900.00 - 35,049.99 369.00 9,594.00

220 35,050.00 - 35,199.99 371.00 9,646.00

221 35,200.00 - 35,349.99 373.00 9,698.00

222 35,350.00 - 35,499.99 374.00 9,724.00

223 35,500.00 - 35,649.99 376.00 9,776.00

224 35,650.00 - 35,799.99 377.00 9,802.00

225 35,800.00 - 35,949.99 379.00 9,854.00

226 35,950.00 - 36,999.99 381.00 9,906.00

227 36,100.00 - 36,249.99 382.00 9,932.00

228 36,250.00 - 36,399.99 384.00 9,984.00

229 36,400.00 - 36,549.99 385.00 10,010.00

230 36,550.00 - 36,699.99 387.00 10,062.00

231 36,700.00 - 36,849.99 388.00 10,088.00

232 36,850.00 - 36,999.99 390.00 10,140.00

233 37,000.00 - 37,149.99 392.00 10,192.00

234 37,150.00 - 37,299.99 393.00 10,218.00

235 37,300.00 - 37,449.99 395.00 10,270.00

236 37,450.00 - 37,599.99 396.00 10,296.00

237 37,600.00 - 37,749.99 398.00 10,348.00

238 37,750.00 - 37,899.99 400.00 10,400.00

239 37,900.00 - 38,049.99 401.00 10,426.00

240 38,050.00 - 38,199.99 403.00 10,478.00

241 38,200.00 - 38,349.99 404.00 10,504.00

242 38,350.00 - 38,499.99 406.00 10,556.00

243 38,500.00 - 38,649.99 408.00 10,608.00

244 38,650.00 - 38,799.99 409.00 10,634.00

245 38,800.00 - 38,949.99 411.00 10,686.00

246 38,950.00 - 39,099.99 412.00 10,712.00

247 39,100.00 - 39,249.99 414.00 10,764.00

248 39,250.00 - 39,399.99 415.00 10,790.00

249 39,400.00 - 39,549.99 417.00 10,842.00

250 39,550.00 - 39,699.99 419.00 10,894.00

251 39,700.00 - 39,849.99 420.00 10,920.00

252 39,850.00 - 39,999.99 422.00 10,972.00

253 40,000.00 - 40,149.99 423.00 10,998.00

254 40,150.00 - and above 424.00 11,024.00

254 40,150.00 - 40,299.99 425.00 11,050.00

255 40,300.00 - 40,449.99 427.00 11,102.00

256 40,450.00 - 40,599.99 428.00 11,128.00

257 40,600.00 - 40,749.99 430.00 11,180.00

258 40,750.00 - 40,899.99 431.00 11,206.00

259 40,900.00 - 41,049.99 433.00 11,258.00

260 41,050.00 - 41,199.99 434.00 11,284.00

261 41,200.00 - 41,349.99 436.00 11,336.00

262 41,350.00 - 41,499.99 438.00 11,388.00

263 41,500.00 - 41,649.99 439.00 11,414.00

264 41,650.00 - 41,799.99 441.00 11,466.00

265 41,800.00 - 41,949.99 442.00 11,492.00

266 41,950.00 - 42,099.99 444.00 11,544.00

267 42,100.00 - 42,249.99 446.00 11,596.00

268 42,250.00 - 42,399.99 447.00 11,622.00

269 42,400.00 - 42,549.99 449.00 11,674.00

270 42,550.00 - 42,699.99 450.00 11,700.00

271 42,700.00 - 42,849.99 452.00 11,752.00

272 42,850.00 - 42,999.99 454.00 11,804.00

273 43,000.00 - 43,149.99 455.00 11,830.00

274 43,150.00 - 43,299.99 457.00 11,882.00

275 43,300.00 - 43,449.99 458.00 11,908.00

276 43,450.00 - 43,599.99 460.00 11,960.00

277 43,600.00 - 43,749.99 461.00 11,986.00

278 43,750.00 - 43,899.99 463.00 12,038.00

279 43,900.00 - 44,049.99 465.00 12,090.00

280 44,050.00 - 44,199.99 466.00 12,116.00

281 44,200.00 - 44,349.99 468.00 12,168.00

282 44,350.00 - 44,499.99 469.00 12,194.00

283 44,500.00 - 44,649.99 471.00 12,246.00

284 44,650.00 - 44,799.99 473.00 12,298.00

285 44,800.00 - 44,949.99 474.00 12,324.00

286 44,950.00 - 45,099.99 476.00 12,376.00

287 45,100.00 - 45,249.99 477.00 12,402.00

288 45,250.00 - 45,399.99 479.00 12,454.00

289 45,400.00 - 45,549.99 480.00 12,480.00

290 45,550.00 - 45,699.99 482.00 12,532.00

291 45,700.00 - 45,849.99 484.00 12,584.00

292 45,850.00 - 45,999.99 485.00 12,610.00

293 46,000.00 - 46,149.99 487.00 12,662.00

294 46,150.00 - 46,299.99 488.00 12,688.00

295 46,300.00 - 46,449.99 490.00 12,740.00

296 46,450.00 - 46,599.99 492.00 12,792.00

297 46,600.00 - 46,749.99 493.00 12,818.00

298 46,750.00 - 46,899.99 495.00 12,870.00

299 46,900.00 - 47,049.99 496.00 12,896.00

300 47,050.00 - 47,199.99 498.00 12,948.00

301 47,200.00 - 47,349.99 500.00 13,000.00

302 47,350.00 - 47,499.99 501.00 13,026.00

303 47,500.00 - 47,649.99 503.00 13,078.00

304 47,650.00 - 47,799.99 504.00 13,104.00

305 47,800.00 - 47,949.99 506.00 13,156.00

306 47,950.00 - 48,099.99 507.00 13,182.00

307 48,100.00 - 48,249.99 509.00 13,234.00

308 48,250.00 - 48,399.99 511.00 13,286.00

309 48,400.00 - 48,549.99 512.00 13,312.00

310 48,550.00 - 48,699.99 514.00 13,364.00

311 48,700.00 - 48,849.99 515.00 13,390.00

312 48,850.00 - 48,999.99 517.00 13,442.00

313 49,000.00 - 49,149.99 519.00 13,494.00

314 49,150.00 - 49,299.99 520.00 13,520.00

315 49,300.00 - 49,449.99 522.00 13,572.00

316 49,450.00 - 49,599.99 523.00 13,598.00

317 49,600.00 - 49,749.99 525.00 13,650.00

318 49,750.00 - 49,899.99 526.00 13,676.00

319 49,900.00 - 50,049.99 528.00 13,728.00

320 50,050.00 - 50,199.99 530.00 13,780.00

321 50,200.00 - 50,349.99 531.00 13,806.00

322 50,350.00 - 50,499.99 533.00 13,858.00

323 50,500.00 - 50,649.99 534.00 13,884.00

324 50,650.00 - 50,799.99 536.00 13,936.00

325 50,800.00 - 50,949.99 538.00 13,988.00

326 50,950.00 - 51,099.99 539.00 14,014.00

327 51,100.00 - 51,249.99 541.00 14,066.00

328 51,250.00 - 51,399.99 542.00 14,092.00

329 51,400.00 - 51,549.99 544.00 14,144.00

330 51,550.00 - 51,699.99 546.00 14,196.00

331 51,700.00 - 51,849.99 547.00 14,222.00

332 51,850.00 - 51,999.99 549.00 14,274.00

333 52,000.00 - 52,149.99 550.00 14,300.00

334 52,150.00 - 52,299.99 552.00 14,352.00

335 52,300.00 - 52,449.99 553.00 14,378.00

336 52,450.00 - 52,599.99 555.00 14,430.00

337 52,600.00 - 52,749.99 557.00 14,482.00

338 52,750.00 - 52,899.99 558.00 14,508.00

339 52,900.00 - 53,049.99 560.00 14,560.00

340 53,050.00 - 53,199.99 561.00 14,586.00

341 53,200.00 - 53,349.99 563.00 14,638.00

342 53,350.00 - 53,499.99 565.00 14,690.00

343 53,500.00 - 53,649.99 566.00 14,716.00

344 53,650.00 - 53,799.99 568.00 14,768.00

345 53,800.00 - 53,949.99 569.00 14,794.00

346 53,950.00 - 54,099.99 571.00 14,846.00

347 54,100.00 - 54,249.99 573.00 14,898.00

348 54,250.00 - 54,399.99 574.00 14,924.00

349 54,400.00 - 54,549.99 576.00 14,976.00

350 54,550.00 - 54,699.99 577.00 15,002.00

351 54,700.00 - 54,849.99 579.00 15,054.00

352 54,850.00 - 54,999.99 580.00 15,080.00

353 55,000.00 - 55,149.99 582.00 15,132.00

354 55,150.00 - 55,299.99 584.00 15,184.00

355 55,300.00 - 55,449.99 585.00 15,210.00

356 55,450.00 - 55,599.99 587.00 15,262.00

357 55,600.00 - 55,749.99 588.00 15,288.00

358 55,750.00 - 55,899.99 590.00 15,340.00

359 55,900.00 - 56,049.99 592.00 15,392.00

360 56,050.00 - 56,199.99 593.00 15,418.00

361 56,200.00 - 56,349.99 595.00 15,470.00

362 56,350.00 - 56,499.99 596.00 15,496.00

363 56,500.00 - 56,649.99 598.00 15,548.00

364 56,650.00 - 56,799.99 599.00 15,574.00

365 56,800.00 - 56,949.99 601.00 15,626.00

366 56,950.00 - 57,099.99 603.00 15,678.00

367 57,100.00 - 57,249.99 604.00 15,704.00

368 57,250.00 - 57,399.99 606.00 15,756.00

369 57,400.00 - 57,549.99 607.00 15,782.00

370 57,550.00 - 57,699.99 608.00 15,808.00

371 57,700.00 - 57,849.99 611.00 15,886.00

372 57,850.00 - 57,999.99 612.00 15,912.00

373 58,000.00 - 58,149.99 614.00 15,964.00

374 58,150.00 - 58,299.99 615.00 15,990.00

375 58,300.00 - 58,449.99 617.00 16,042.00

376 58,450.00 - 58,599.99 619.00 16,094.00

377 58,600.00 - 58,749.99 620.00 16,120.00

378 58,750.00 - 58,899.99 622.00 16,172.00

379 58,900.00 - 59,049.99 623.00 16,198.00

380 59,050.00 - 59,199.99 625.00 16,250.00

381 59,200.00 - 59,349.99 626.00 16,276.00

382 59,350.00 - 59,499.99 628.00 16,328.00

383 59,500.00 - 59,649.99 630.00 16,380.00

384 59,650.00 - 59,799.99 631.00 16,406.00

385 59,800.00 - 59,949.99 633.00 16,458.00

386 59,950.00 - 60,099.99 634.00 16,484.00

387 60,100.00 - 60,249.99 636.00 16,536.00

388 60,250.00 - 60,399.99 638.00 16,588.00

389 60,400.00 - 60,549.99 639.00 16,614.00

390 60,550.00 - 60,699.99 641.00 16,666.00

391 60,700.00 - 60,849.99 642.00 16,692.00

392 60,850.00 - 60,999.99 644.00 16,744.00

393 61,000.00 - 61,149.99 645.00 16,770.00

394 61,150.00 - 61,299.99 647.00 16,822.00

395 61,300.00 - 61,449.99 649.00 16,874.00

396 61,450.00 - 61,599.99 650.00 16,900.00

397 61,600.00 - 61,749.99 652.00 16,952.00

398 61,750.00 - 61,899.99 653.00 16,978.00

399 61,900.00 - 62,049.99 655.00 17,030.00

400 62,050.00 - 62,199.99 657.00 17,082.00

401 62,200.00 - 62,349.99 658.00 17,108.00

402 62,350.00 - 62,499.99 660.00 17,160.00

403 62,500.00 - 62,649.99 661.00 17,186.00

404 62,650.00 - and over 662.00 17,212.00

(a) For individuals with base period wages of $62,650 or more, the weekly benefit amount shall be $662.

(b) An individual who is totally unemployed but earns in excess of $60 as a result of an odd job, a non-payrolled job or work from a non-covered employer or is paid a bonus in any benefit week, shall be paid benefits for such week in accordance with the provisions of §21A-6-11 of this code pertaining to benefits for partial unemployment.

(c) If a balance of benefits remains after an individual receives 26 weeks of unemployment benefits, due to partial unemployment as defined in §21A-6-11 of this code, the individual may receive benefit payments at the same weekly benefit rate as the most recent week, until the maximum benefit balance is exhausted.

(f) The right of an employee to receive benefits shall not be prejudiced, nor the amount thereof be diminished by reason of failure by an employer to pay either the wages earned by the employee or the contribution due on such wages.

(g) The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

**ARTICLE 6A. EXTENDED BENEFITS PROGRAM.**

**§21A-6A-4. Weekly extended benefit amount.**

The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit payable to the eligible individual during the eligible individual’s applicable benefit year: *Provided*, That for any week during a period in which federal payments to states under section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 are reduced under an order issued under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, the weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be reduced by a percentage equivalent to the percentage of the reduction in the federal payment. Such reduced weekly extended benefit amount, if not a full dollar amount, shall be rounded to the nearest lower full dollar amount.

The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

**§21A-6A-5. Total extended benefit amount.**

The total extended benefit amount payable to an eligible individual with respect to his or her applicable benefit year shall be the least of the following amounts:

(1) Fifty percent of the total amount of regular benefits which were payable to him or her under this chapter in his or her applicable benefit year;

(2) Thirteen times his or her weekly benefit amount which was payable to him or her under this chapter for a week of total unemployment in the applicable benefit year: *Provided,* That an individual filing for extended benefits through the interstate benefit payment plan and residing in a state where an extended benefit period is not in effect shall be limited to payment for only the first two weeks of such extended benefits: *Provided, however*, That during any fiscal year in which federal payments to states under section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 are reduced under an order issued under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, the total extended benefit amount payable to an individual with respect to his or her applicable benefit year shall be reduced by an amount equal to the aggregate of the reductions under §21A-6A-4 of this code in the weekly amounts paid to the individual.

(3)(A) For weeks beginning in a high unemployment period, subdivision (1) of this section shall be applied by substituting 80 percent for 50 percent, and subdivision (2) of this section shall be applied by substituting 20 for 13.

(B) For the purposes of this article, the term "high unemployment period" means any period during which the provisions of §21A-6A-1(3) of this code would result in a "state >on' indicator" if §21A-6A-1(3) of this code were applied by substituting eight percent for six and one-half percent.

(4) The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

**ARTICLE 6B. SHORT TIME COMPENSATION PROGRAM.**

**§21A-6B-6. Benefits**

(a) The short-time compensation weekly benefit amount shall be the product of the regular weekly unemployment compensation amount for a week of total unemployment as defined in §21A-6-10 multiplied by the percentage of reduction in the individual’s usual weekly hours of work.

(b) An individual may be eligible for short-time compensation or unemployment benefits, as appropriate: *Provided*, That no individual shall be eligible for combined benefits in any benefit year in an amount more than the maximum entitlement established for regular unemployment benefits: *Provided, however*, That no individual shall be paid short-time compensation benefits for more than 26 weeks under a plan.

(c) Provisions applicable to unemployment benefits claimants shall apply to short-time compensation claimants to the extent that they are not inconsistent with the program’s provisions. An individual who files an initial claim for short-time compensation benefits shall receive a monetary determination.

(d) An employee who is not provided any work during a week by the short-time compensation employer, or any other employer, and who is otherwise eligible for unemployment benefits shall be eligible for the amount of regular unemployment compensation to which he or she would otherwise be eligible.

(e) An employee who is not provided any work by the short-time compensation employer during a week, but who works for another employer and is otherwise eligible, may be paid unemployment benefits for that week subject to the disqualifying income and other provisions applicable to claims for regular unemployment benefits.

(f) An employee who has received all of the short-time compensation or combined unemployment benefits and short-time compensation available in a benefit year shall be considered an exhaustee for purposes of extended benefits and, if otherwise eligible under those provisions, shall be eligible to receive extended benefits.

(g) The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.