

SENATE No. 1016

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to unemployment insurance reform.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-------------------------------|---------------------------------------|
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> |
| <i>Donald H. Wong</i> | <i>9th Essex</i> |
| <i>Viriato M. deMacedo</i> | <i>Plymouth and Barnstable</i> |
| <i>Donald F. Humason, Jr.</i> | <i>Second Hampden and Hampshire</i> |
| <i>Richard J. Ross</i> | <i>Norfolk, Bristol and Middlesex</i> |

SENATE No. 1016

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1016) of Bruce E. Tarr, Donald H. Wong, Viriato M. deMacedo, Donald F. Humason, Jr. and others for legislation relative to unemployment insurance reform. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to unemployment insurance reform.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Paragraph (a) of section 24 of chapter 151A of the General Laws as
2 appearing in the 2014 official edition is hereby amended by striking out in its entirety said
3 paragraph and inserting in place thereof a new paragraph:-

4 (a) Have been paid wages in the base period amounting to at least forty times the weekly
5 benefit rate; provided, however, that for the period beginning on January first, nineteen hundred
6 and ninety-five the individual has been paid wages in at least two quarters of the base period
7 amounting to at least thirty times the weekly benefit rate; provided, further, that said amount
8 shall be increased annually proportionately, rounding to the nearest one hundred dollars, to any
9 increases which have occurred during the prior calendar year in the minimum wage as set forth
10 in section one of chapter one hundred and fifty-one; and, provided further, that any such increase
11 shall be effective beginning on the first Sunday in January.

12 SECTION 2. Section 30 of chapter 151A of the General Laws, as appearing in the 2014
13 official edition, is hereby amended by striking out subsection (a) in its entirety and inserting in
14 place thereof the following subsection:

15 (a) Except as provided in subsection (b), the total benefits which an unemployed
16 individual may receive during his benefit year shall be an amount equal to thirty-six percent of
17 his wages in the base period, or an amount equal to thirty times his benefit rate, whichever is
18 less, plus dependency benefits payable under section 29; provided, that if in any month the
19 average state-wide unemployment rate for the prior 6 months, as determined by the United States
20 Department of Labor, is equal to or below 5.1 percent, the total benefits which an unemployed
21 individual who then files a claim may receive during his benefit year shall be an amount equal to
22 36 per cent of his wages in the base period or an amount equal to 26 times his benefit rate,
23 whichever is less, plus dependency benefits payable under said section 29. If such amount
24 includes a fractional part of a dollar, it shall be rounded to the next lower full dollar amount

25 SECTION 3. Said section 30 of said chapter 151A of the General Laws, as so appearing,
26 is hereby amended by adding the following subsection:-

27 (d) Notwithstanding the provisions of subsection (a), in any period that the average state-
28 wide unemployment rate exceeds 5.1 percent and is below 7.0 percent, an individual's rights to
29 receive regular benefits under this chapter for any week in excess of 26 times the individual's
30 weekly benefit amount, plus dependency benefits payable under section 29, shall be dependent
31 on the individual's participation in an unpaid internship program approved by the commissioner.
32 An individual may participate and receive a weekly benefit amount in an approved unpaid
33 internship program for 4 weeks in excess of the 26 week benefit period. For each week in excess

34 of said 26 weeks, in order to receive the corresponding benefits for that week, the individual
35 shall complete a week in such approved internship program. Approved participation in such
36 program shall not result in a decrease in an individual's regular benefits. Benefits under this
37 chapter in excess of 26 weeks shall not be conditional upon participation in an unpaid internship
38 if the average state-wide unemployment rate for the prior 6 months is equal to or above 7.1
39 percent, provided that in no case shall regular benefits be distributed in excess of 30 weeks.

40 SECTION 4. Section 38 of chapter 151A of the General Laws, as appearing in the 2014
41 Official Edition, is hereby amended by inserting after the word "information.", in line 20, the
42 following sentence:-

43 If the employer responds within 10 days after such notice was mailed, the commissioner
44 shall have a final determination of the matter within 30 days, unless good cause exists, in which
45 case the commissioner shall send written notice to both the claimant and the employer that good
46 cause exists for the matter not to be decided within 30 days; provided, however, that said written
47 notice explains such good cause.

48 SECTION 5. Section 2 shall not take effect during anytime federal funding is not
49 available after a recipient exhausts state benefits