

## LEGISLATIVE BILL 372

Approved by the Governor May 3, 1973

Introduced by Fowler, 27

AN ACT to amend section 48-627, Revised Statutes Supplement, 1972, relating to the Employment Security Law; to eliminate pregnancy as a condition of ineligibility to receive unemployment compensation benefits; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 48-627, Revised Statutes Supplement, 1972, be amended to read as follows:

48-627. An unemployed individual shall be eligible to receive benefits with respect to any week, only if the Commissioner of Labor finds:

(a) He has registered for work at, and thereafter continued to report at, an employment office in accordance with such regulations as the commissioner may prescribe, except that the commissioner may, by regulation, waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations, with respect to which he finds that compliance with such requirements, would be oppressive, or would be inconsistent with the purposes of sections 48-601 to 48-669; Provided, that no such regulation shall conflict with section 48-623;

(b) He has made a claim for benefits, in accordance with the provisions of section 48-629;

(c) He is able to work, and is available for work; Provided, that no woman shall be deemed available, after she has voluntarily quit work due to pregnancy, nor shall any woman be eligible to receive benefits within twelve weeks prior to the expected date of childbirth and within four weeks after the date of childbirth in either of which cases the commissioner may require the production of a doctor's certificate to establish such date; provided further, that no individual, who is otherwise eligible, shall be deemed ineligible, or unavailable for work, because he is on vacation without pay during such week, if said vacation is not the result of his own action as distinguished from any collective action by a collective bargaining agent or other action

beyond his individual control, and regardless of whether he or she has not been notified of said vacation at the time of his or her hiring; provided further, that receipt of a nonservice connected total disability pension by a veteran at the age of sixty-five or more, shall not of itself bar the veteran from benefits as not able to work; and provided further, an otherwise eligible individual while engaged in a training course approved for him by the commissioner shall be considered available for work for the purposes of this section;

(d) He has been unemployed for a waiting period of one week; no week shall be counted as a week of unemployment for the purpose of this subdivision (1) unless it occurs within the benefit year, which includes the week with respect to which he claims payment of benefits; Provided, that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment; and provided further, that the week immediately preceding a benefit year, if part of one uninterrupted period of unemployment which continued into such benefit year, shall be deemed, for the purposes of this subdivision only, to be within such benefit year as well as within the preceding benefit year, (2) if benefits have been paid with respect thereto, or (3) unless the individual was eligible for benefits with respect thereto, as provided in sections 48-627 and 48-628, except for the requirements of this subdivision and of subdivision (f) of section 48-628; and

(e) For any benefit year, he has, within his base period, been paid a total sum of wages for employment by employers equal to not less than six hundred dollars, of which sum at least two hundred dollars shall have been paid in each of two quarters in his base period. For the purposes of this subdivision, wages shall be counted as wages for insured work for benefit purposes with respect to any benefit year only if such benefit year begins subsequent to the date on which the employer, by whom such wages were paid, has satisfied the conditions of section 48-603 or subsection (c) of section 48-661, with respect to becoming an employer.

Sec. 2. That original section 48-627, Revised Statutes Supplement, 1972, is repealed.