



Reprinted
January 26, 2000

HOUSE BILL No. 1043

DIGEST OF HB 1043 (Updated January 25, 2000 3:37 PM - DI 96)

Citations Affected: IC 6-3.5; IC 22-4.

Synopsis: Unemployment insurance. Increases the earnings base used to compute unemployment compensation over three years to a maximum of \$10,000 in a calendar quarter. Provides that the maximum total amount of unemployment compensation benefits payable may not exceed 26 times the individual's weekly benefit, or 32% of the individual's wage credits with respect to the individual's base period, whichever is less. Decreases the minimum wage credit necessary to qualify for unemployment compensation to \$2,000 in the base period, and requires the total wage credits in the base period to equal at least one and one-quarter times the wages paid in the highest quarter. Decreases the unemployment compensation contribution rate schedules for employers with a merit rating by 14%. Decreases the unemployment compensation contribution rate schedule for employers with a penalty rating to the lowest amount allowed under federal law. Eliminates the 25% reduction of unemployment compensation award for disqualifying conditions and failure to find work. Revises disqualification provisions for unemployment compensation. Makes conforming amendments.

Effective: July 1, 2000.

Stilwell, Liggett

November 23, 1999, read first time and referred to Committee on Labor and Employment.
January 13, 2000, amended, reported — Do Pass.
January 24, 2000, read second time, call withdrawn.
January 25, 2000, reread second time, amended, ordered engrossed.

HB 1043—LS 6514/DI 96+



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Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

HOUSE BILL No. 1043

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 6-3.5-1.1-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. (a) Except as
3 provided in subsections (b) through (c), if the county adjusted gross
4 income tax is not in effect during a county taxpayer's entire taxable
5 year, then the amount of county adjusted gross income tax that the
6 county taxpayer owes for that taxable year equals the product of:
7 (1) the amount of county adjusted gross income tax the county
8 taxpayer would owe if the tax had been imposed during the
9 county taxpayer's entire taxable year; multiplied by
10 (2) a fraction:
11 (A) The numerator of the fraction equals the number of days
12 during the county taxpayer's taxable year during which the
13 county adjusted gross income tax was in effect.
14 (B) The denominator of the fraction equals the total number of
15 days in the county taxpayer's taxable year.
16 (b) If a county taxpayer:
17 (1) is unemployed for a part of the taxpayer's taxable year;

HB 1043—LS 6514/DI 96+



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1 (2) was not discharged for just cause (as defined in
2 ~~IC 22-4-15-1(c)~~; **IC 22-4-15-1(c)**); and

3 (3) has no earned income for the part of the taxpayer's taxable
4 year that the tax was in effect;

5 the county taxpayer's adjusted gross income for the taxable year is
6 reduced by the amount of the taxpayer's earned income for the taxable
7 year.

8 (c) A taxpayer who qualifies under subsection (b) must file a claim
9 for a refund for the difference between the county adjusted gross
10 income tax owed, as determined under subsection (a), and the tax
11 owed, as determined under subsection (b). A claim for a refund must
12 be on a form approved by the department and include all supporting
13 documentation reasonably required by the department.

14 SECTION 2. IC 22-4-2-12 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 12. "Base period"
16 means the first four (4) of the last five (5) completed calendar quarters
17 immediately preceding the first day of an individual's benefit period.
18 ~~Provided, However, That~~ for a claim computed in accordance with
19 IC ~~1971~~, 22-4-22, the base period shall be the base period as outlined
20 in the paying state's law.

21 SECTION 3. IC 22-4-2-22 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 22. "Valid claim"
23 means a claim filed by an individual who has established qualifying
24 wage credits and who is totally, partially, or part-totally unemployed.
25 ~~Provided, However,~~ no individual in a benefit period may file a valid
26 claim for a waiting period or benefit period rights with respect to any
27 period subsequent to the expiration of such benefit period.

28 SECTION 4. IC 22-4-4-2 IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2000]: Sec. 2. (a) Except as otherwise provided
30 in this section, "wages" means all remuneration as defined in section
31 1 of this chapter paid to an individual by an employer, remuneration
32 received as tips or gratuities in accordance with Sections ~~3301 and~~
33 **3102 and 3301** et seq. of the Internal Revenue Code, and includes all
34 remuneration considered as wages under Sections ~~3301 and~~ **3102 and**
35 **3301** et seq. of the Internal Revenue Code. However, the term shall not
36 include any amounts paid as compensation for services specifically
37 excluded by IC 22-4-8-3 from the definition of employment as defined
38 in IC 22-4-8-1 and IC 22-4-8-2. The term shall include, but not be
39 limited to, any payments made by an employer to an employee or
40 former employee, under order of the National Labor Relations Board,
41 or a successor thereto, or agency named to perform the duties thereof,
42 as additional pay, back pay, or for loss of employment, or any such

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1 payments made in accordance with an agreement made and entered
2 into by an employer, a union, and the National Labor Relations Board.

3 (b) The term "wages" shall not include the following:

4 (1) That part of remuneration which, after remuneration equal to
5 seven thousand dollars (\$7,000), has been paid in a calendar year
6 to an individual by an employer or his predecessor with respect to
7 employment during any calendar year subsequent to December
8 31, 1982, unless that part of the remuneration is subject to a tax
9 under a federal law imposing a tax against which credit may be
10 taken for contributions required to be paid into a state
11 unemployment fund. For the purposes of this subdivision, the
12 term "employment" shall include service constituting employment
13 under any employment security law of any state or of the federal
14 government. However, nothing in this subdivision shall be taken
15 as an approval or disapproval of any related federal legislation.

16 (2) The amount of any payment (including any amount paid by an
17 employer for insurance or annuities or into a fund to provide for
18 any such payment) made to, or on behalf of, an individual or any
19 of his dependents under a plan or system established by an
20 employer which makes provision generally for individuals
21 performing service for it (or for such individuals generally and
22 their dependents) or for a class or classes of such individuals (or
23 for a class or classes of such individuals and their dependents) on
24 account of:

25 (A) retirement;

26 (B) sickness or accident disability;

27 (C) medical or hospitalization expenses in connection with
28 sickness or accident disability; or

29 (D) death.

30 (3) The amount of any payment made by an employer to an
31 individual performing service for it (including any amount paid
32 by an employer for insurance or annuities or into a fund to
33 provide for any such payment) on account of retirement.

34 (4) The amount of any payment on account of sickness or accident
35 disability, or medical or hospitalization expenses in connection
36 with sickness or accident disability made by an employer to, or on
37 behalf of, an individual performing services for it and after the
38 expiration of six (6) calendar months following the last calendar
39 month in which the individual performed services for such
40 employer.

41 (5) The amount of any payment made by an employer to, or on
42 behalf of, an individual performing services for it or to his

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- 1 beneficiary:
- 2 (A) from or to a trust exempt from tax under Section 401(a) of
- 3 the Internal Revenue Code at the time of such payment unless
- 4 such payment is made to an individual performing services for
- 5 the trust as remuneration for such services and not as a
- 6 beneficiary of the trust; or
- 7 (B) under or to an annuity plan which, at the time of such
- 8 payments, meets the requirements of Section 401(a)(3),
- 9 401(a)(4), 401(a)(5), and 401(a)(6) of the Internal Revenue
- 10 Code.
- 11 (6) Remuneration paid in any medium other than cash to an
- 12 individual for service not in the course of the employer's trade or
- 13 business.
- 14 (7) The amount of any payment (other than vacation or sick pay)
- 15 made to an individual after the month in which he attains the age
- 16 of sixty-five (65) if he did not perform services for the employer
- 17 in the period for which such payment is made.
- 18 (8) The payment by an employer (without deduction from the
- 19 remuneration of the employee) of the tax imposed upon an
- 20 employee under Sections 3101 et seq. of the Internal Revenue
- 21 Code (Federal Insurance Contributions Act).
- 22 SECTION 5. IC 22-4-4-3 IS AMENDED TO READ AS FOLLOWS
- 23 [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) For calendar quarters
- 24 beginning on and after April 1, 1979, and before April 1, 1984, "wage
- 25 credits" means remuneration paid for employment by an employer to
- 26 an individual. Wage credits may not exceed three thousand six hundred
- 27 sixty-six dollars (\$3,666) and may not include payments specified in
- 28 section 2(b) of this chapter.
- 29 (b) For calendar quarters beginning on and after April 1, 1984, and
- 30 before April 1, 1985, "wage credits" means remuneration paid for
- 31 employment by an employer to an individual. Wage credits may not
- 32 exceed three thousand nine hundred twenty-six dollars (\$3,926) and
- 33 may not include payments specified in section 2(b) of this chapter.
- 34 (c) For calendar quarters beginning on and after April 1, 1985, and
- 35 before January 1, 1991, "wage credits" means remuneration paid for
- 36 employment by an employer to an individual. Wage credits may not
- 37 exceed four thousand one hundred eighty-six dollars (\$4,186) and may
- 38 not include payments specified in section 2(b) of this chapter.
- 39 (d) For calendar quarters beginning on and after January 1, 1991,
- 40 and before July 1, 1995, "wage credits" means remuneration paid for
- 41 employment by an employer to an individual. Wage credits may not
- 42 exceed four thousand eight hundred ten dollars (\$4,810) and may not

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1 include payments specified in section 2(b) of this chapter.

2 (e) For calendar quarters beginning on and after July 1, 1995, and
3 before July 1, 1997, "wage credits" means remuneration paid for
4 employment by an employer to an individual and remuneration
5 received as tips or gratuities in accordance with Sections ~~3301 and~~
6 3102 **and 3301** et seq. of the Internal Revenue Code. Wage credits may
7 not exceed five thousand dollars (\$5,000) and may not include
8 payments specified in section 2(b) of this chapter.

9 (f) For calendar quarters beginning on and after July 1, 1997, and
10 before July 1, 1998, "wage credits" means remuneration paid for
11 employment by an employer to an individual and remuneration
12 received as tips or gratuities in accordance with Sections ~~3301 and~~
13 3102 **and 3301** et seq. of the Internal Revenue Code. Wage credits may
14 not exceed five thousand four hundred dollars (\$5,400) and may not
15 include payments specified in section 2(b) of this chapter.

16 (g) For calendar quarters beginning on and after July 1, 1998, and
17 before July 1, 1999, "wage credits" means remuneration paid for
18 employment by an employer to an individual and remuneration
19 received as tips or gratuities in accordance with Sections ~~3301 and~~
20 3102 **and 3301** et seq. of the Internal Revenue Code. Wage credits may
21 not exceed five thousand six hundred dollars (\$5,600) and may not
22 include payments that are excluded from the definition of wages under
23 section 2(b) of this chapter.

24 (h) For calendar quarters beginning on and after July 1, 1999, **and**
25 **before July 1, 2000**, "wage credits" means remuneration paid for
26 employment by an employer to an individual and remuneration
27 received as tips or gratuities in accordance with Sections ~~3301 and~~
28 3102 **and 3301** et seq. of the Internal Revenue Code. Wage credits may
29 not exceed five thousand eight hundred dollars (\$5,800) and may not
30 include payments that are excluded from the definition of wages under
31 section 2(b) of this chapter.

32 (i) **For calendar quarters beginning on and after July 1, 2000,**
33 **and before July 1, 2001**, "wage credits" means remuneration paid
34 **for employment by an employer to an individual and remuneration**
35 **received as tips or gratuities in accordance with Sections 3102 and**
36 **3301 et seq. of the Internal Revenue Code. Wage credits may not**
37 **exceed seven thousand two hundred dollars (\$7,200) and may not**
38 **include payments that are excluded from the definition of wages**
39 **under section 2(b) of this chapter.**

40 (j) **For calendar quarters beginning on and after July 1, 2001,**
41 **and before July 1, 2002**, "wage credits" means remuneration paid
42 **for employment by an employer to an individual and remuneration**

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1 received as tips or gratuities in accordance with Sections 3102 and
2 3301 et seq. of the Internal Revenue Code. Wage credits may not
3 exceed eight thousand six hundred dollars (\$8,600) and may not
4 include payments that are excluded from the definition of wages
5 under section 2(b) of this chapter.

6 (k) For calendar quarters beginning on and after July 1, 2002,
7 "wage credits" means remuneration paid for employment by an
8 employer to an individual and remuneration received as tips or
9 gratuities in accordance with Sections 3102 and 3301 et seq. of the
10 Internal Revenue Code. Wage credits may not exceed ten thousand
11 dollars (\$10,000) and may not include payments that are excluded
12 from the definition of wages under section 2(b) of this chapter.

13 SECTION 6. IC 22-4-11-1 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. (a) For the purpose
15 of charging employers' experience or reimbursable accounts with
16 regular benefits paid subsequent to July 3, 1971, to any eligible
17 individual but except as provided in IC 22-4-22 and subsection (f),
18 such benefits paid shall be charged proportionately against the
19 experience or reimbursable accounts of his employers in his base
20 period (on the basis of total wage credits established in such base
21 period) against whose accounts the maximum charges specified in this
22 section shall not have been previously made. Such charges shall be
23 made in the inverse chronological order in which the wage credits of
24 such individuals were established. However, when an individual's
25 claim has been computed for the purpose of determining his regular
26 benefit rights, maximum regular benefit amount, and the proportion of
27 such maximum amount to be charged to the experience or reimbursable
28 accounts of respective chargeable employers in the base period, the
29 experience or reimbursable account of any employer charged with
30 regular benefits paid shall not be credited or reccredited with any
31 portion of such maximum amount because of any portion of such
32 individual's wage credits remaining uncharged at the expiration of his
33 benefit period. The maximum so charged against the account of any
34 employer shall not exceed twenty-eight percent (28%) of the total wage
35 credits of such individual with each such employer with which wage
36 credits were established during such individual's base period. Benefits
37 paid under provisions of IC 22-4-22-3 in excess of the amount that the
38 claimant would have been monetarily eligible for under other
39 provisions of this article shall be paid from the fund and not charged to
40 the experience account of any employer; however, this exception shall
41 not apply to those employers electing to make payments in lieu of
42 contributions who shall be charged for all benefit payments which are



1 attributable to service in their employ. Irrespective of the twenty-eight
 2 percent (28%) maximum limitation provided for in this section, any
 3 extended benefits paid to an eligible individual based on service with
 4 a governmental entity of this state or its political subdivisions shall be
 5 charged to the experience or reimbursable accounts of the employers,
 6 and fifty percent (50%) of any extended benefits paid to an eligible
 7 individual shall be charged to the experience or reimbursable accounts
 8 of his employers in his base period, other than governmental entities of
 9 this state or its political subdivisions, in the same proportion and
 10 sequence as are provided in this section for regular benefits paid.
 11 Additional benefits paid under ~~IC 22-4-12-4(c)~~ **IC 22-4-12-4(e)** shall:

12 (1) be paid from the fund; and

13 (2) not be charged to the experience account or the reimbursable
 14 account of any employer.

15 (b) If the aggregate of wages paid to an individual by two (2) or
 16 more employers during the same calendar quarter exceeds the
 17 maximum wage credits (as defined in IC 22-4-4-3) then the experience
 18 or reimbursable account of each such employer shall be charged in the
 19 ratio which the amount of wage credits from such employer bears to the
 20 total amount of wage credits during the base period.

21 (c) When wage records show that an individual has been employed
 22 by two (2) or more employers during the same calendar quarter of the
 23 base period but do not indicate both that such employment was
 24 consecutive and the order of sequence thereof, then and in such cases
 25 it shall be deemed that the employer with whom the individual
 26 established a plurality of wage credits in such calendar quarter is the
 27 most recent employer in such quarter and its experience or
 28 reimbursable account shall be first charged with benefits paid to such
 29 individual. The experience or reimbursable account of the employer
 30 with whom the next highest amount of wage credits were established
 31 shall be charged secondly and the experience or reimbursable accounts
 32 of other employers during such quarters, if any, shall likewise be
 33 charged in order according to plurality of wage credits established by
 34 such individual.

35 (d) Except as provided in subsection (f), if an individual:

36 (1) voluntarily leaves an employer without good cause in
 37 connection with the work; or

38 (2) is discharged from an employer for just cause;

39 wage credits earned with the employer from whom the employee has
 40 separated under these conditions shall be used to compute the
 41 claimant's eligibility for benefits, but charges based on such wage
 42 credits shall be paid from the fund and not charged to the experience



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1 account of any employer. However, this exception shall not apply to
 2 those employers who elect to make payments in lieu of contributions,
 3 who shall be charged for all benefit payments which are attributable to
 4 service in their employ.

5 (e) Any nonprofit organization which elects to make payments in
 6 lieu of contributions into the unemployment compensation fund as
 7 provided in this article is not liable to make the payments with respect
 8 to the benefits paid to any individual whose base period wages include
 9 wages for previously uncovered services as defined in IC 22-4-4-4, nor
 10 is the experience account of any other employer liable for charges for
 11 benefits paid the individual to the extent that the unemployment
 12 compensation fund is reimbursed for these benefits pursuant to Section
 13 121 of P.L.94-566. Payments which otherwise would have been
 14 chargeable to the reimbursable or contributing employers shall be
 15 charged to the fund.

16 (f) If an individual:

17 (1) earns wages during his base period through employment with
 18 two (2) or more employers concurrently;

19 (2) is laid off from work by one (1) of the employers; and

20 (3) continues to work for one (1) or more of the other employers
 21 after the end of the base period and continues to work during the
 22 applicable benefit year on substantially the same basis as during
 23 the base period;

24 wage credits earned with the base period employers shall be used to
 25 compute the claimant's eligibility for benefits, but charges based on the
 26 wage credits from the employer who continues to employ the individual
 27 shall be charged to the experience or reimbursable account of the
 28 employer who laid the claimant off.

29 (g) Subsection (f) does not affect the eligibility of a claimant who
 30 otherwise qualifies for benefits nor the computation of his benefits.

31 SECTION 7. IC 22-4-11-3 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) Except as
 33 provided in section 3.1 of this chapter, the applicable schedule of rates
 34 for the calendar year 1983 and thereafter shall be determined by the
 35 ratio resulting when the balance in the fund as of the determination
 36 date is divided by the total payroll of all subject employers for the
 37 immediately preceding calendar year. Schedule A, B, C, or D,
 38 appearing on the line opposite the fund ratio in the schedule below,
 39 shall be applicable in determining and assigning each employer's
 40 contribution rate for the calendar year immediately following the
 41 determination date. For the purposes of this subsection, "total payroll"
 42 means total remuneration reported by all contributing employers as



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1 required by this article and does not include the total payroll of any
 2 employer who elected to become liable for payments in lieu of
 3 contributions (as defined in IC 22-4-2-32). For the purposes of this
 4 subsection, "subject employers" means those employers who are
 5 subject to contribution.

6 **FUND RATIO SCHEDULE**

7 When the Fund Ratio Is:

8	9	10	11	12	13	14
	As Much As	But Less Than				Applicable Schedule
		1.0%				A
	1.0%	1.5%				B
	1.5%	2.25%				C
	2.25%					D

14 (b) If the conditions and requirements of section 2 of this chapter
 15 are met, the rate of contributions shall be determined and assigned,
 16 with respect to each calendar year, to employers whose accounts have
 17 a credit balance and who are eligible therefor according to each
 18 employer's credit reserve ratio. Each employer shall be assigned the
 19 contribution rate appearing in the applicable schedule A, B, C, or D on
 20 the line opposite his credit reserve ratio as set forth in the rate schedule
 21 below:

22 **RATE SCHEDULE FOR ACCOUNTS
 23 WITH CREDIT BALANCES**

24 When the Credit Reserve Ratio Is:

25	26	27	28 Rate Schedules (%)			
As	But		A	B	C	D
Much	Less					
As	Than					
28	3.0		1.2 1.03	0.2 0.17	0.2 0.17	0.2 0.17
29	2.8	3.0	1.4 1.20	0.4 0.34	0.2 0.17	0.2 0.17
30	2.6	2.8	1.6 1.38	0.6 0.52	0.2 0.17	0.2 0.17
31	2.4	2.6	1.8 1.55	0.8 0.69	0.4 0.34	0.2 0.17
32	2.2	2.4	2.0 1.72	1.0 0.86	0.6 0.52	0.2 0.17
33	2.0	2.2	2.2 1.89	1.2 1.03	0.8 0.69	0.4 0.34
34	1.8	2.0	2.4 2.06	1.4 1.20	1.0 0.86	0.6 0.52
35	1.6	1.8	2.6 2.24	1.6 1.38	1.2 1.03	0.8 0.69
36	1.4	1.6	2.8 2.41	1.8 1.55	1.4 1.20	1.0 0.86
37	1.2	1.4	3.0 2.58	2.0 1.72	1.6 1.38	1.2 1.03
38	1.0	1.2	3.2 2.75	2.2 1.89	1.8 1.55	1.4 1.20
39	0.8	1.0	3.4 2.92	2.4 2.06	2.0 1.72	1.6 1.38
40	0.6	0.8	3.6 3.10	2.6 2.24	2.2 1.89	1.8 1.55
41	0.4	0.6	3.8 3.27	2.8 2.41	2.4 2.06	2.0 1.72
42	0.2	0.4	4.0 3.44	3.0 2.58	2.6 2.24	2.2 1.89



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1 0 0.2 ~~4.2~~ **3.61** ~~3.2~~ **2.75** ~~2.8~~ **2.41** ~~2.4~~ **2.06**
 2 (c) Each employer whose account as of any computation date
 3 occurring on and after June 30, 1984, shows a debit balance shall be
 4 assigned the rate of contributions appearing on the line opposite his
 5 debit ratio as set forth in the following rate schedule for accounts with
 6 debit balances:

7 RATE SCHEDULE FOR ACCOUNTS
 8 WITH DEBIT BALANCES

9 When the Debit Reserve Ratio Is:

10	As	But	Rate Schedules (%)			
11	Much	Less				
12	As	Than	A	B	C	D
13		1.5	4.5 3.870	4.4 3.784	4.3 3.698	4.2 3.612
14	1.5	3.0	4.8 4.128	4.7 4.042	4.6 3.956	4.5 3.870
15	3.0	4.5	5.1 4.386	5.0 4.300	4.9 4.214	4.8 4.128
16	4.5	6.0	5.4 4.644	5.3 4.558	5.2 4.472	5.1 4.386
17	6.0		5.7 5.400	5.6 5.400	5.5 5.400	5.4 5.400

18 (d) Any adjustment in the amount charged to any employer's
 19 experience account made subsequent to the assignment of rates of
 20 contributions for any calendar year shall not operate to alter the amount
 21 charged to the experience accounts of any other base-period employers.

22 SECTION 8. IC 22-4-12-4 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. (a) Benefits shall be
 24 computed upon the basis of wage credits of an individual in ~~his~~ **the**
 25 **individual's** base period. Wage credits shall be reported by the
 26 employer and credited to the individual in the manner prescribed by the
 27 board. With respect to initial claims filed for any week beginning on
 28 and after July 4, 1959, and before July 7, 1991, the maximum total
 29 amount of benefits payable to any eligible individual during any benefit
 30 period shall not exceed twenty-six (26) times ~~his~~ **the individual's**
 31 weekly benefit, or twenty-five percent (25%) of ~~his~~ **the individual's**
 32 wage credits with respect to ~~his~~ **the individual's** base period,
 33 whichever is ~~the lesser~~ **less**.

34 (b) With respect to initial claims filed for any week beginning on
 35 and after July 7, 1991, **and before July 1, 2000**, the maximum total
 36 amount of benefits payable to any eligible individual during any benefit
 37 period shall not exceed twenty-six (26) times the individual's weekly
 38 benefit, or twenty-eight percent (28%) of the individual's wage credits
 39 with respect to the individual's base period, whichever is less. If such
 40 maximum total amount of benefits is not a multiple of one dollar (\$1),
 41 it shall be computed to the next lower multiple of one dollar (\$1).

42 (c) **With respect to initial claims filed for any week beginning on**



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1 **and after July 1, 2000, the maximum total amount of benefits**
 2 **payable to any eligible individual during any benefit period may**
 3 **not exceed twenty-six (26) times the individual's weekly benefit, or**
 4 **thirty-two percent (32%) of the individual's wage credits with**
 5 **respect to the individual's base period, whichever is less. If the**
 6 **maximum total amount of benefits is not a multiple of one dollar**
 7 **(\$1), it shall be computed to the next lower multiple of one dollar**
 8 **(\$1).**

9 ~~(b)~~ **(d)** The total extended benefit amount payable to any eligible
 10 individual with respect to ~~his~~ **the individual's** applicable benefit period
 11 shall be fifty percent (50%) of the total amount of regular benefits
 12 (including dependents' allowances) which were payable to ~~him~~ **the**
 13 **individual** under this article in the applicable benefit year, or thirteen
 14 (13) times the weekly benefit amount (including dependents'
 15 allowances) which was payable to ~~him~~ **the individual** under this article
 16 for a week of total unemployment in the applicable benefit year,
 17 whichever is ~~the lesser amount less~~.

18 ~~(c)~~ **(e)** This subsection applies to individuals who file a disaster
 19 unemployment claim or a state unemployment insurance claim after
 20 June 1, 1990, and before June 2, 1991, or during another time specified
 21 in another state statute. An individual is entitled to thirteen (13) weeks
 22 of additional benefits, as originally determined, if:

23 (1) the individual has established:

24 (A) a disaster unemployment claim under the Stafford Disaster
 25 Relief and Emergency Assistance Act; or

26 (B) a state unemployment insurance claim as a direct result of
 27 a major disaster;

28 (2) all regular benefits and all disaster unemployment assistance
 29 benefits:

30 (A) have been exhausted by the individual; or

31 (B) are no longer payable to the individual due to the
 32 expiration of the disaster assistance period; and

33 (3) the individual remains unemployed as a direct result of the
 34 disaster.

35 SECTION 9. IC 22-4-14-5 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. (a) As further
 37 conditions precedent to the payment of benefits to an individual with
 38 respect to benefit periods established on and after July 6, 1980, and
 39 before July 7, 1985:

40 (1) the individual must have established, after the last day of ~~his~~
 41 **the individual's** last base period, if any, wage credits (as defined
 42 in IC 22-4-4-3) and within the meaning of IC 22-4-22-3 equal to

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1 at least one and one-quarter (1.25) times the wages paid to ~~him~~
2 **the individual** in the calendar quarter in which ~~his~~ **the**
3 **individual's** wages were highest; and
4 (2) the individual must have established wage credits in the last
5 two (2) calendar quarters of ~~his~~ **the individual's** base period in a
6 total amount of not less than nine hundred dollars (\$900) and an
7 aggregate amount in the four (4) calendar quarters of ~~his~~ **the**
8 **individual's** base period of not less than one thousand five
9 hundred dollars (\$1,500).

10 (b) As further conditions precedent to the payment of benefits to an
11 individual with respect to benefit periods established on and after July
12 7, 1985, and before January 1, 1992:
13 (1) the individual must have established, after the last day of the
14 individual's last base period, if any, wage credits (as defined in
15 IC 22-4-4-3 and within the meaning of IC 22-4-22-3) equal to at
16 least one and one-half (1.5) times the wages paid to the individual
17 in the calendar quarter in which the individual's wages were
18 highest; and
19 (2) the individual must have established wage credits in the last
20 two (2) calendar quarters of the individual's base period in a total
21 amount of not less than one thousand five hundred dollars
22 (\$1,500) and an aggregate amount in the four (4) calendar
23 quarters of the individual's base period of not less than two
24 thousand five hundred dollars (\$2,500).

25 (c) As further conditions precedent to the payment of benefits to an
26 individual with respect to benefit periods established on and after
27 January 1, 1992, and before July 1, 1995:
28 (1) the individual must have established, after the last day of the
29 individual's last base period, if any, wage credits (as defined in
30 IC 22-4-4-3 and within the meaning of IC 22-4-22-3) equal to at
31 least one and one-quarter (1.25) times the wages paid to the
32 individual in the calendar quarter in which the individual's wages
33 were highest; and
34 (2) the individual must have established wage credits in the last
35 two (2) calendar quarters of the individual's base period in a total
36 amount of not less than one thousand five hundred dollars
37 (\$1,500) and an aggregate in the four (4) calendar quarters of the
38 individual's base period of not less than two thousand five
39 hundred dollars (\$2,500).

40 (d) As further conditions precedent to the payment of benefits to an
41 individual with respect to benefit periods established on and after July
42 1, 1995, **and before July 1, 2000:**

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1 (1) the individual must have established, after the last day of the
 2 individual's last base period, if any, wage credits (as defined in
 3 IC 22-4-4-3 and within the meaning of IC 22-4-22-3) equal to at
 4 least one and one-quarter (1.25) times the wages paid to the
 5 individual in the calendar quarter in which the individual's wages
 6 were highest; and

7 (2) the individual must have established wage credits in the last
 8 two (2) calendar quarters of the individual's base period in a total
 9 amount of not less than one thousand six hundred fifty dollars
 10 (\$1,650) and an aggregate in the four (4) calendar quarters of the
 11 individual's base period of not less than two thousand seven
 12 hundred fifty dollars (\$2,750).

13 (e) **As further conditions precedent to the payment of benefits**
 14 **to an individual with respect to benefit periods established on and**
 15 **after July 1, 2000:**

16 (1) **the individual must have established, after the last day of**
 17 **the individual's last base period, if any, wage credits (as**
 18 **defined in IC 22-4-4-3 and within the meaning of**
 19 **IC 22-4-22-3) equal to at least one and one-quarter (1.25)**
 20 **times the wages paid to the individual in the calendar quarter**
 21 **in which the individual's wages were highest; and**

22 (2) **the individual must have established wage credits in an**
 23 **aggregate in the four (4) calendar quarters of the individual's**
 24 **base period of not less than two thousand dollars (\$2,000).**

25 (f) As a further condition precedent to the payment of benefits to an
 26 individual with respect to a benefit year established on and after July
 27 1, 1995, an insured worker may not receive benefits in a benefit year
 28 unless after the beginning of the immediately preceding benefit year
 29 during which the individual received benefits, the individual performed
 30 insured work and earned wages in employment under IC 22-4-8 in an
 31 amount not less than the individual's weekly benefit amount established
 32 for the individual in the preceding benefit year in each of eight (8)
 33 weeks.

34 SECTION 10. IC 22-4-15-1 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. (a) With respect to
 36 benefit periods established on and after July 6, 1980, an individual who
 37 has voluntarily left his employment without good cause in connection
 38 with the work or who was discharged from his employment for just
 39 cause is ineligible for waiting period or benefit rights for the week in
 40 which the disqualifying separation occurred and until he has earned
 41 remuneration in employment equal to or exceeding the weekly benefit
 42 amount of his claim in each of eight (8) weeks. If the qualification



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1 amount has not been earned at the expiration of an individual's benefit
 2 period, the unearned amount shall be carried forward to an extended
 3 benefit period or to the benefit period of a subsequent claim.

4 (b) ~~When it has been determined that an individual has been~~
 5 ~~separated from employment under disqualifying conditions as outlined~~
 6 ~~in this section, the maximum benefit amount of his current claim, as~~
 7 ~~initially determined, shall be reduced by twenty-five percent (25%). If~~
 8 ~~twenty-five percent (25%) of the maximum benefit amount is not an~~
 9 ~~even dollar amount, the amount of such reduction will be raised to the~~
 10 ~~next higher even dollar amount. When twenty-five percent (25%) of the~~
 11 ~~maximum benefit amount, as initially determined, exceeds the unpaid~~
 12 ~~balance remaining in the claim, such reduction will be limited to the~~
 13 ~~unpaid balance.~~

14 ~~(c)~~ (b) The disqualifications provided in this section shall be subject
 15 to the following modifications:

16 (1) An individual shall not be subject to disqualification because
 17 of separation from his prior employment if:

18 (A) he left to accept with another employer previously secured
 19 permanent full-time work which offered reasonable
 20 expectation of betterment of wages or working conditions and
 21 thereafter was ~~employed on said job for not less than ten (10)~~
 22 ~~weeks; discharged from employment without just cause (as~~
 23 ~~defined in subsection (c));~~

24 (B) having been simultaneously employed by two (2)
 25 employers, he leaves one (1) such employer voluntarily
 26 without good cause in connection with the work but remains
 27 in employment with the second employer with a reasonable
 28 expectation of continued employment; or

29 (C) he left to accept recall made by a base-period employer.

30 (2) An individual whose unemployment is the result of medically
 31 substantiated physical disability and who is involuntarily
 32 unemployed after having made reasonable efforts to maintain the
 33 employment relationship shall not be subject to disqualification
 34 under this section for such separation.

35 (3) An individual who left work to enter the armed forces of the
 36 United States shall not be subject to disqualification under this
 37 section for such leaving of work.

38 (4) An individual whose employment is terminated under the
 39 compulsory retirement provision of a collective bargaining
 40 agreement to which the employer is a party, or under any other
 41 plan, system, or program, public or private, providing for
 42 compulsory retirement and who is otherwise eligible shall not be



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1 deemed to have left his work voluntarily without good cause in
 2 connection with the work. However, if such individual
 3 subsequently becomes reemployed and thereafter voluntarily
 4 leaves work without good cause in connection with the work, he
 5 shall be deemed ineligible as outlined in this section.
 6 (5) An otherwise eligible individual shall not be denied benefits
 7 for any week because he is in training approved under Section
 8 236(a)(1) of the Trade Act of 1974, nor shall the individual be
 9 denied benefits by reason of leaving work to enter such training,
 10 provided the work left is not suitable employment, or because of
 11 the application to any week in training of provisions in this law
 12 (or any applicable federal unemployment compensation law),
 13 relating to availability for work, active search for work, or refusal
 14 to accept work. For purposes of this subdivision, the term
 15 "suitable employment" means with respect to an individual, work
 16 of a substantially equal or higher skill level than the individual's
 17 past adversely affected employment (as defined for purposes of
 18 the Trade Act of 1974), and wages for such work at not less than
 19 eighty percent (80%) of the individual's average weekly wage as
 20 determined for the purposes of the Trade Act of 1974.
 21 (6) An individual is not subject to disqualification because of
 22 separation from the individual's prior employment if:
 23 (A) the prior employment was outside the individual's labor
 24 market;
 25 (B) the individual left to accept previously secured full-time
 26 work with an employer in the individual's labor market; and
 27 (C) the individual actually became employed with the
 28 employer in the individual's labor market.
 29 (7) An individual who, but for the voluntary separation to move
 30 to another labor market to join a spouse who had moved to that
 31 labor market, shall not be disqualified for that voluntary
 32 separation, if the individual is otherwise eligible for benefits.
 33 Benefits paid to the spouse whose eligibility is established under
 34 this subdivision shall not be charged against the employer from
 35 whom the spouse voluntarily separated.
 36 As used in this subsection, "labor market" means the area surrounding
 37 an individual's permanent residence, outside which the individual
 38 cannot reasonably commute on a daily basis. In determining whether
 39 an individual can reasonably commute under this subdivision, the
 40 department shall consider the nature of the individual's job.
 41 ~~(d)~~ (c) "Discharge for just cause" as used in this section is defined
 42 to include but not be limited to:

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- 1 (1) separation initiated by an employer for falsification of an
- 2 employment application to obtain employment through
- 3 subterfuge;
- 4 (2) knowing violation of a reasonable and uniformly enforced rule
- 5 of an employer;
- 6 (3) unsatisfactory attendance, **if including a violation of a**
- 7 **reasonable and uniformly enforced attendance rule of an**
- 8 **employer, unless** the individual ~~cannot~~ **can** show good cause for
- 9 absences or tardiness;
- 10 (4) damaging the employer's property through willful negligence;
- 11 (5) refusing to obey instructions;
- 12 (6) reporting to work under the influence of alcohol or drugs or
- 13 consuming alcohol or drugs on employer's premises during
- 14 working hours;
- 15 (7) conduct endangering safety of self or coworkers; or
- 16 (8) incarceration in jail following conviction of a misdemeanor or
- 17 felony by a court of competent jurisdiction or for any breach of
- 18 duty in connection with work which is reasonably owed an
- 19 employer by an employee.

20 SECTION 11. IC 22-4-15-2 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. (a) With respect to
 22 benefit periods established on and after July 3, 1977, an individual is
 23 ineligible for waiting period or benefit rights, or extended benefit
 24 rights, if the department finds that, being totally, partially, or
 25 part-totally unemployed at the time when the work offer is effective or
 26 when the individual is directed to apply for work, the individual fails
 27 without good cause:

- 28 (1) to apply for available, suitable work when directed by the
- 29 commissioner, the deputy, or an authorized representative of the
- 30 department of workforce development or the United States
- 31 training and employment service;
- 32 (2) to accept, at any time after the individual is notified of a
- 33 separation, suitable work when found for and offered to the
- 34 individual by the commissioner, the deputy, or an authorized
- 35 representative of the department of workforce development or the
- 36 United States training and employment service, or an employment
- 37 unit; or
- 38 (3) to return to the individual's customary self-employment when
- 39 directed by the commissioner or the deputy.

40 (b) With respect to benefit periods established on and after July 6,
 41 1980, the ineligibility shall continue for the week in which the failure
 42 occurs and until the individual earns remuneration in employment

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1 equal to or exceeding the weekly benefit amount of the individual's
 2 claim in each of eight (8) weeks. If the qualification amount has not
 3 been earned at the expiration of an individual's benefit period, the
 4 unearned amount shall be carried forward to an extended benefit period
 5 or to the benefit period of a subsequent claim.

6 (c) With respect to extended benefit periods established on and after
 7 July 5, 1981, the ineligibility shall continue for the week in which the
 8 failure occurs and until the individual earns remuneration in
 9 employment equal to or exceeding the weekly benefit amount of the
 10 individual's claim in each of four (4) weeks.

11 ~~(d) If an individual failed to apply for or accept suitable work as~~
 12 ~~outlined in this section, the maximum benefit amount of the~~
 13 ~~individual's current claim, as initially determined, shall be reduced by~~
 14 ~~twenty-five percent (25%). If twenty-five percent (25%) of the~~
 15 ~~maximum benefit amount is not an even dollar amount, the amount of~~
 16 ~~such reduction shall be raised to the next higher even dollar amount.~~
 17 ~~When twenty-five percent (25%) of the maximum benefit amount, as~~
 18 ~~initially determined, exceeds the unpaid balance remaining in the~~
 19 ~~claim, such reduction shall be limited to the unpaid balance.~~

20 ~~(e)~~ (d) In determining whether or not any such work is suitable for
 21 an individual, the department shall consider:

- 22 (1) the degree of risk involved to such individual's health, safety,
 23 and morals;
- 24 (2) the individual's physical fitness and prior training and
 25 experience;
- 26 (3) the individual's length of unemployment and prospects for
 27 securing local work in the individual's customary occupation; and
- 28 (4) the distance of the available work from the individual's
 29 residence.

30 However, work under substantially the same terms and conditions
 31 under which the individual was employed by a base-period employer,
 32 which is within the individual's prior training and experience and
 33 physical capacity to perform, shall be considered to be suitable work
 34 unless the claimant has made a bona fide change in residence which
 35 makes such offered work unsuitable to the individual because of the
 36 distance involved.

37 ~~(f)~~ (e) Notwithstanding any other provisions of this article, no work
 38 shall be considered suitable and benefits shall not be denied under this
 39 article to any otherwise eligible individual for refusing to accept new
 40 work under any of the following conditions:

- 41 (1) If the position offered is vacant due directly to a strike,
 42 lockout, or other labor dispute.



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- 1 (2) If the remuneration, hours, or other conditions of the work
- 2 offered are substantially less favorable to the individual than
- 3 those prevailing for similar work in the locality.
- 4 (3) If as a condition of being employed the individual would be
- 5 required to join a company union or to resign from or refrain from
- 6 joining a bona fide labor organization.
- 7 (4) If as a condition of being employed the individual would be
- 8 required to discontinue training into which the individual had
- 9 entered with the approval of the department.
- 10 ~~(g)~~ (f) Notwithstanding subsection ~~(e)~~, (d), with respect to extended
- 11 benefit periods established on and after July 5, 1981, "suitable work"
- 12 means any work which is within an individual's capabilities. However,
- 13 if the individual furnishes evidence satisfactory to the department that
- 14 the individual's prospects for obtaining work in the individual's
- 15 customary occupation within a reasonably short period are good, the
- 16 determination of whether any work is suitable work shall be made as
- 17 provided in subsection ~~(e)~~: (d).
- 18 ~~(h)~~ (g) With respect to extended benefit periods established on and
- 19 after July 5, 1981, no work shall be considered suitable and extended
- 20 benefits shall not be denied under this article to any otherwise eligible
- 21 individual for refusing to accept new work under any of the following
- 22 conditions:
- 23 (1) If the gross average weekly remuneration payable to the
- 24 individual for the position would not exceed the sum of:
- 25 (A) the individual's average weekly benefit amount for the
- 26 individual's benefit year; plus
- 27 (B) the amount (if any) of supplemental unemployment
- 28 compensation benefits (as defined in Section 501(c)(17)(D) of
- 29 the Internal Revenue Code) payable to the individual for such
- 30 week.
- 31 (2) If the position was not offered to the individual in writing or
- 32 was not listed with the department of workforce development.
- 33 (3) If such failure would not result in a denial of compensation
- 34 under the provisions of this article to the extent that such
- 35 provisions are not inconsistent with the applicable federal law.
- 36 (4) If the position pays wages less than the higher of:
- 37 (A) the minimum wage provided by 29 U.S.C. 206(a)(1) (The
- 38 Fair Labor Standards Act of 1938), without regard to any
- 39 exemption; or
- 40 (B) the state minimum wage (IC 22-2-2).
- 41 ~~(i)~~ (h) The department of workforce development shall refer
- 42 individuals eligible for extended benefits to any suitable work (as

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1 defined in subsection ~~(g)~~ (f) to which subsection ~~(h)~~ (g) would not
2 apply.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1043, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 16, reset in roman "first four (4) of the".

Page 2, line 16, reset in roman "five (5)".

Page 2, line 16, delete "four (4)".

and when so amended that said bill do pass.

(Reference is to HB 1043 as introduced.)

LIGGETT, Chair

Committee Vote: yeas 8, nays 6.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1043 be amended to read as follows:

Page 2, line 19, reset in roman "IC".

Page 2, line 26, reset in roman "a waiting period or".

Page 2, delete lines 28 through 34.

Page 6, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 5. IC 22-4-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. (a) For the purpose of charging employers' experience or reimbursable accounts with regular benefits paid subsequent to July 3, 1971, to any eligible individual but except as provided in IC 22-4-22 and subsection (f), such benefits paid shall be charged proportionately against the experience or reimbursable accounts of his employers in his base period (on the basis of total wage credits established in such base period) against whose accounts the maximum charges specified in this section shall not have been previously made. Such charges shall be made in the inverse chronological order in which the wage credits of such individuals were established. However, when an individual's claim has been computed for the purpose of determining his regular benefit rights, maximum regular benefit amount, and the proportion of such maximum amount to be charged to the experience or reimbursable accounts of respective chargeable employers in the base period, the experience or reimbursable account of any employer charged with regular benefits paid shall not be credited or recredited with any portion of such maximum amount because of any portion of such individual's wage credits remaining uncharged at the expiration of his benefit period. The maximum so charged against the account of any employer shall not exceed twenty-eight percent (28%) of the total wage credits of such individual with each such employer with which wage credits were established during such individual's base period. Benefits paid under provisions of IC 22-4-22-3 in excess of the amount that the claimant would have been monetarily eligible for under other provisions of this article shall be paid from the fund and not charged to the experience account of any employer; however, this exception shall not apply to those employers electing to make payments in lieu of contributions who shall be charged for all benefit payments which are attributable to service in their employ. Irrespective of the twenty-eight percent (28%) maximum limitation provided for in this section, any extended benefits paid to an eligible individual based on service with a governmental entity of this state or its political subdivisions shall be charged to the experience or reimbursable accounts of the employers,

HB 1043—LS 6514/DI 96+



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and fifty percent (50%) of any extended benefits paid to an eligible individual shall be charged to the experience or reimbursable accounts of his employers in his base period, other than governmental entities of this state or its political subdivisions, in the same proportion and sequence as are provided in this section for regular benefits paid. Additional benefits paid under ~~IC 22-4-12-4(c)~~ **IC 22-4-12-4(e)** shall:

- (1) be paid from the fund; and
- (2) not be charged to the experience account or the reimbursable account of any employer.

(b) If the aggregate of wages paid to an individual by two (2) or more employers during the same calendar quarter exceeds the maximum wage credits (as defined in IC 22-4-4-3) then the experience or reimbursable account of each such employer shall be charged in the ratio which the amount of wage credits from such employer bears to the total amount of wage credits during the base period.

(c) When wage records show that an individual has been employed by two (2) or more employers during the same calendar quarter of the base period but do not indicate both that such employment was consecutive and the order of sequence thereof, then and in such cases it shall be deemed that the employer with whom the individual established a plurality of wage credits in such calendar quarter is the most recent employer in such quarter and its experience or reimbursable account shall be first charged with benefits paid to such individual. The experience or reimbursable account of the employer with whom the next highest amount of wage credits were established shall be charged secondly and the experience or reimbursable accounts of other employers during such quarters, if any, shall likewise be charged in order according to plurality of wage credits established by such individual.

(d) Except as provided in subsection (f), if an individual:

- (1) voluntarily leaves an employer without good cause in connection with the work; or
- (2) is discharged from an employer for just cause;

wage credits earned with the employer from whom the employee has separated under these conditions shall be used to compute the claimant's eligibility for benefits, but charges based on such wage credits shall be paid from the fund and not charged to the experience account of any employer. However, this exception shall not apply to those employers who elect to make payments in lieu of contributions, who shall be charged for all benefit payments which are attributable to service in their employ.

(e) Any nonprofit organization which elects to make payments in



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lieu of contributions into the unemployment compensation fund as provided in this article is not liable to make the payments with respect to the benefits paid to any individual whose base period wages include wages for previously uncovered services as defined in IC 22-4-4-4, nor is the experience account of any other employer liable for charges for benefits paid the individual to the extent that the unemployment compensation fund is reimbursed for these benefits pursuant to Section 121 of P.L.94-566. Payments which otherwise would have been chargeable to the reimbursable or contributing employers shall be charged to the fund.

(f) If an individual:

- (1) earns wages during his base period through employment with two (2) or more employers concurrently;
- (2) is laid off from work by one (1) of the employers; and
- (3) continues to work for one (1) or more of the other employers after the end of the base period and continues to work during the applicable benefit year on substantially the same basis as during the base period;

wage credits earned with the base period employers shall be used to compute the claimant's eligibility for benefits, but charges based on the wage credits from the employer who continues to employ the individual shall be charged to the experience or reimbursable account of the employer who laid the claimant off.

(g) Subsection (f) does not affect the eligibility of a claimant who otherwise qualifies for benefits nor the computation of his benefits.

SECTION 2. IC 22-4-11-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) Except as provided in section 3.1 of this chapter, the applicable schedule of rates for the calendar year 1983 and thereafter shall be determined by the ratio resulting when the balance in the fund as of the determination date is divided by the total payroll of all subject employers for the immediately preceding calendar year. Schedule A, B, C, or D, appearing on the line opposite the fund ratio in the schedule below, shall be applicable in determining and assigning each employer's contribution rate for the calendar year immediately following the determination date. For the purposes of this subsection, "total payroll" means total remuneration reported by all contributing employers as required by this article and does not include the total payroll of any employer who elected to become liable for payments in lieu of contributions (as defined in IC 22-4-2-32). For the purposes of this subsection, "subject employers" means those employers who are subject to contribution.

HB 1043—LS 6514/DI 96+



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FUND RATIO SCHEDULE

When the Fund Ratio Is:

As Much As	But Less Than	Applicable Schedule
	1.0%	A
1.0%	1.5%	B
1.5%	2.25%	C
2.25%		D

(b) If the conditions and requirements of section 2 of this chapter are met, the rate of contributions shall be determined and assigned, with respect to each calendar year, to employers whose accounts have a credit balance and who are eligible therefor according to each employer's credit reserve ratio. Each employer shall be assigned the contribution rate appearing in the applicable schedule A, B, C, or D on the line opposite his credit reserve ratio as set forth in the rate schedule below:

RATE SCHEDULE FOR ACCOUNTS WITH CREDIT BALANCES

When the Credit Reserve Ratio Is:

As Much As	But Less Than	Rate Schedules (%)			
As	But	A	B	C	D
3.0		1.2 1.03	0.2 0.17	0.2 0.17	0.2 0.17
2.8	3.0	1.4 1.20	0.4 0.34	0.2 0.17	0.2 0.17
2.6	2.8	1.6 1.38	0.6 0.52	0.2 0.17	0.2 0.17
2.4	2.6	1.8 1.55	0.8 0.69	0.4 0.34	0.2 0.17
2.2	2.4	2.0 1.72	1.0 0.86	0.6 0.52	0.2 0.17
2.0	2.2	2.2 1.89	1.2 1.03	0.8 0.69	0.4 0.34
1.8	2.0	2.4 2.06	1.4 1.20	1.0 0.86	0.6 0.52
1.6	1.8	2.6 2.24	1.6 1.38	1.2 1.03	0.8 0.69
1.4	1.6	2.8 2.41	1.8 1.55	1.4 1.20	1.0 0.86
1.2	1.4	3.0 2.58	2.0 1.72	1.6 1.38	1.2 1.03
1.0	1.2	3.2 2.75	2.2 1.89	1.8 1.55	1.4 1.20
0.8	1.0	3.4 2.92	2.4 2.06	2.0 1.72	1.6 1.38
0.6	0.8	3.6 3.10	2.6 2.24	2.2 1.89	1.8 1.55
0.4	0.6	3.8 3.27	2.8 2.41	2.4 2.06	2.0 1.72
0.2	0.4	4.0 3.44	3.0 2.58	2.6 2.24	2.2 1.89
0	0.2	4.2 3.61	3.2 2.75	2.8 2.41	2.4 2.06

(c) Each employer whose account as of any computation date occurring on and after June 30, 1984, shows a debit balance shall be assigned the rate of contributions appearing on the line opposite his debit ratio as set forth in the following rate schedule for accounts with



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debit balances:

**RATE SCHEDULE FOR ACCOUNTS
WITH DEBIT BALANCES**

When the Debit Reserve Ratio Is:

As Much As	But Less Than	Rate Schedules (%)			
		A	B	C	D
	1.5	4.5 3.870	4.4 3.784	4.3 3.698	4.2 3.612
1.5	3.0	4.8 4.128	4.7 4.042	4.6 3.956	4.5 3.870
3.0	4.5	5.1 4.386	5.0 4.300	4.9 4.214	4.8 4.128
4.5	6.0	5.4 4.644	5.3 4.558	5.2 4.472	5.1 4.386
6.0		5.7 5.400	5.6 5.400	5.5 5.400	5.4 5.400

(d) Any adjustment in the amount charged to any employer's experience account made subsequent to the assignment of rates of contributions for any calendar year shall not operate to alter the amount charged to the experience accounts of any other base-period employers."

Page 9, line 37, reset in roman "waiting period or".

Page 12, line 21, reset in roman "waiting period or".

Delete pages 15 through 19.

Re-number all SECTIONS consecutively.

(Reference is to HB 1043 as printed January 14, 2000.)

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