

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Expedite Training Waiver Decisions for Unemployment Claimants by Transferring Original Jurisdiction from the Unemployment Insurance Commission to the Bureau of Unemployment Compensation

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 26 MRSA §1192, sub-§6, as amended by PL 1991, c. 870, §3, is further amended to read:

6. Approved training. Notwithstanding any other provisions of this chapter, any otherwise eligible claimant in training, as approved for the claimant by the ~~commission~~deputy, under rules adopted by the commission with the advice and consent of the commissioner, may not be denied benefits for any week with respect to subsection 3, relating to availability and the work search requirement or the provisions of section 1193, subsection 3. Enrollment in a degree-granting program may not be the sole cause for denial of approved training status for an otherwise eligible claimant. Benefits paid to any eligible claimant while in approved training, for which, except for this subsection, the claimant could be disqualified under section 1193, subsection 3, may not be charged against the experience rating record of any employer but must be charged to the General Fund. The commission has appellate jurisdiction over these cases on appeal from the deputy. For purposes of this subsection, "the deputy" means a representative from the bureau designated by the commissioner.

Sec. 2. 26 MRSA §1192, sub-§6-C, as repealed and replaced by PL 1989, c. 502, Pt. A, §109, is amended to read:

6-C. Prohibition against disqualification of individuals in approved training under section 1196. Notwithstanding any other provision of this chapter, no otherwise eligible individual may be denied benefits for any week because that individual is in training as approved by the ~~commission~~deputy, under rules adopted by the commission with the advice and consent of the commissioner, nor may that individual be denied benefits by reason of leaving work to enter that training, ~~provided that as long as~~ the work left is not suitable employment. The commission has appellate jurisdiction over these cases on appeal from the deputy.

For purposes of this subsection, ~~the term~~ "suitable employment" means, with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment, and "the deputy" means a representative from the bureau designated by the commissioner.

SUMMARY

This bill transfers original jurisdiction over training not approved by the federal Workforce Investment Act of 1998 from the Maine Unemployment Insurance Commission to the Department

SP0663, LD 1668, item 1, 126th Maine State Legislature
An Act To Expedite Training Waiver Decisions for Unemployment Claimants by Transferring Original
Jurisdiction from the Unemployment Insurance Commission to the Bureau of Unemployment Compensation

of Labor, Bureau of Unemployment Compensation. This change allows the Unemployment Insurance Commission to serve in the appellate capacity for training waiver cases.