

1 AN ACT concerning unemployment insurance.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Unemployment Insurance Act is amended by
5 changing Section 612 as follows:

6 (820 ILCS 405/612) (from Ch. 48, par. 442)

7 Sec. 612. Academic Personnel - Ineligibility between
8 academic years or terms.

9 A. Benefits based on wages for services which are
10 employment under the provisions of Sections 211.17 and 211.27
11 and--302E shall be payable in the same amount, on the same
12 terms, and subject to the same conditions as benefits payable
13 on the basis of wages for other services which are employment
14 under this Act; except that an individual is ineligible for
15 benefits, on the basis of wages for services in an
16 instructional, research, or principal administrative capacity
17 performed:

18 1. For an educational institution, for any week
19 that begins during the period between 2 successive
20 academic years or terms (or, when an agreement provides
21 instead for a similar period between 2 regular but not
22 successive terms, during that period) or during a period
23 of paid sabbatical leave provided for in the individual's
24 contract, if the individual performs those services in
25 the first of the academic years (or terms) and there is a
26 contract or reasonable assurance that the individual will
27 perform services in any such capacity for any educational
28 institution, in the second of those academic years or
29 terms.

30 2. For an educational institution, for any week
31 that begins during an established and customary vacation

1 period or holiday recess, if the individual performs
 2 those services in the period immediately before the
 3 vacation period or holiday recess and there is a
 4 reasonable assurance that the individual will perform
 5 those services in the period immediately following the
 6 vacation period or holiday recess.

7 3. In an educational institution, while in the
 8 employ of an educational service agency for any week: (i)
 9 during a period between 2 successive academic years or
 10 terms, if the individual performed those services in the
 11 first of those academic years or terms and there is a
 12 reasonable assurance that the individual will perform
 13 those services in the second of those academic years or
 14 terms; and (ii) during an established and customary
 15 vacation period or holiday recess, if the individual
 16 performed those services in the period immediately before
 17 the vacation period or holiday recess and there is a
 18 reasonable assurance that the individual will perform
 19 those services in the period immediately following the
 20 vacation period or holiday recess. As used in this
 21 Section, "educational service agency" means a
 22 governmental agency or governmental entity that is
 23 established and operated exclusively for the purpose of
 24 providing such service to one or more educational
 25 institutions.

26 ~~1. An individual shall be ineligible for benefits, on the~~
 27 ~~basis of wages for employment in an instructional, research,~~
 28 ~~or principal administrative capacity performed for an~~
 29 ~~institution of higher education, for any week which begins~~
 30 ~~during the period between two successive academic years, or~~
 31 ~~during a similar period between two regular terms, whether or~~
 32 ~~not successive, or during a period of paid sabbatical leave~~
 33 ~~provided for in the individual's contract, if the individual~~
 34 ~~has a contract or contracts to perform services in any such~~

1 capacity--for--any--institution--or--institutions--of--higher
2 education--for--both--such--academic--years--or--both--such--terms.

3 This--paragraph--1--shall--apply--with--respect--to--any--week
4 which--begins--prior--to--January--17--1978.

5 2.--An--individual--shall--be--ineligible--for--benefits,
6 on--the--basis--of--wages--for--service--in--employment--in--any
7 capacity--other--than--those--referred--to--in--paragraph--1,
8 performed--for--an--institution--of--higher--learning,
9 week--which--begins--after--September--30,
10 1983,
11 during--a
12 period--between--two--successive--academic--years--or--terms,
13 if
14 the--individual--performed--such--service--in--the--first--of
15 such--academic--years--or--terms--and--there--is--a--reasonable
16 assurance--that--the--individual--will--perform--such--service
17 in--the--second--of--such--academic--years--or--terms.

18 3.--An--individual--shall--be--ineligible--for--benefits,
19 on--the--basis--of--wages--for--service--in--employment--in--any
20 capacity--other--than--those--referred--to--in--paragraph--1,
21 performed--for--an--institution--of--higher--education,
22 week--which--begins--after--January--5,
23 1985,
24 during--an
25 established--and--customary--vacation--period--or--holiday
26 recess,
27 if--the--individual--performed--such--service--in--the
28 period--immediately--before--such--vacation--period--or--holiday
29 recess--and--there--is--a--reasonable--assurance--that--the
30 individual--will--perform--such--service--in--the--period
31 immediately--following--such--vacation--period--or--holiday
32 recess.

33 B.--Benefits--based--on--wages--for--services--which--are
34 employment--under--the--provisions--of--Sections--211.1--and--211.2
shall--be--payable--in--the--same--amount,
on--the--same--terms,
and
subject--to--the--same--conditions,
as--benefits--payable--on--the
basis--of--wages--for--other--services--which--are--employment--under
this--Act,
except--that:
1.--an--individual--shall--be--ineligible
for--benefits,
on--the--basis--of--wages--for--service--in--employment
in--an--instructional,
research,
or--principal--administrative

1 capacity-performed-for-an-educational--institution,--for--any
2 week--which--begins--after-December-31,1977,during-a-period
3 between-two-successive-academic-years,or--during--a--similar
4 period--between-two-regular-terms,whether-or-not-successive,
5 or-during-a-period-of-paid-sabbatical-leave-provided--for--in
6 the--individual's--contract,if-the-individual-performed-such
7 service-in-the-first-of-such-academic-years-(or-terms)-and-if
8 there-is-a--contract--or--a--reasonable--assurance--that--the
9 individual--will-perform-service-in-any-such-capacity-for-any
10 educational-institution-in-the-second-of-such-academic--years
11 (or-terms).

12 2.--An--individual-shall-be-ineligible-for-benefits,
13 on-the-basis-of-wages-for-service-in--employment--in--any
14 capacity--other--than--those--referred-to-in-paragraph-1,
15 performed-for-an-educational-institution,--for--any--week
16 which--begins--after--December--31,1977,during-a-period
17 between-two-successive-academic-years-or--terms,--if--the
18 individual--performed--such--service-in-the-first-of-such
19 academic--years--or--terms--and--there--is--a--reasonable
20 assurance-that-the-individual-will-perform--such--service
21 in-the-second-of-such-academic-years-or-terms.

22 3.--An--individual-shall-be-ineligible-for-benefits,
23 on-the-basis-of-wages-for-service-in--employment--in--any
24 capacity--performed--for--an-educational-institution,for
25 any-week-which-begins-after-January-5,1985,--during--an
26 established--and--customary--vacation--period--or-holiday
27 recess,if-the-individual-performed-such-service--in--the
28 period-immediately-before-such-vacation-period-or-holiday
29 recess--and--there--is--a--reasonable--assurance-that-the
30 individual--will--perform--such--service--in--the--period
31 immediately-following-such--vacation--period--or--holiday
32 recess.

33 4.--An--individual--shall-be-ineligible-for-benefits
34 on-the-basis-of-wages-for-service-in--employment--in--any

1 capacity-performed-in-an-educational-institution-while-in
2 the--employ-of-an-educational-service-agency-for-any-week
3 which-begins-after-January-5,-1985,-(a)-during--a--period
4 between--two--successive--academic-years-or-terms,-if-the
5 individual-performed-such-service-in-the--first--of--such
6 academic--years--or--terms--and--there--is--a--reasonable
7 assurance--that--the-individual-will-perform-such-service
8 in-the-second-of-such-academic-years-or--terms;-and--(b)
9 during--an--established--and-customary-vacation-period-or
10 holiday-recess,-if-the-individual-performed-such--service
11 in--the-period-immediately-before-such-vacation-period-or
12 holiday-recess-and-there-is-a-reasonable--assurance--that
13 the--individual--will--perform-such-service-in-the-period
14 immediately-following-such--vacation--period--or--holiday
15 recess.--The--term--"educational--service-agency"-means-a
16 governmental--agency--or--governmental--entity--which--is
17 established-and-operated-exclusively-for-the--purpose--of
18 providing--such--services--to--one--or--more--educational
19 institutions.

20 C.-1.--If-benefits-are-denied-to-any-individual-under-the
21 provisions-of-paragraph-2-of-either-subsection-A-or-B-of-this
22 Section--for--any--week-which-begins-on-or-after-September-3,
23 1982--and--such--individual--is--not--offered--a--bona--fide
24 opportunity--to--perform--such--services--for-the-educational
25 institution-for-the-second-of-such-academic-years--or--terms,
26 such-individual-shall-be-entitled-to-a-retroactive-payment-of
27 benefits--for--each--week--for--which--the-individual-filed-a
28 timely-claim-for-benefits-as--determined--by--the--rules--and
29 regulations--issued--by-the-Director-for-the-filing-of-claims
30 for-benefits,-provided-that-such-benefits-were-denied--solely
31 because-of-the-provisions-of-paragraph-2-of-either-subsection
32 A-or-B-of-this-Section.

33 2.--If--benefits--on--the--basis--of-wages-for-service-in
34 employment-in--other--than--an--instructional,-research,-or

1 principal-administrative-capacity-performed-in-an-educational
2 institution--while--in--the--employ-of-an-educational-service
3 agency-are-denied-to-any-individual-under-the--provisions--of
4 subparagraph--(a)--of--paragraph--4--of--subsection-B-and-such
5 individual-is-not-offered-a-bona-fide-opportunity-to--perform
6 such--services--in--an--educational--institution-while-in-the
7 employ-of-an-educational-service-agency--for--the--second--of
8 such--academic--years--or--terms,--such--individual--shall-be
9 entitled-to-a-retroactive-payment-of-benefits-for--each--week
10 for-which-the-individual-filed-a-timely-claim-for-benefits-as
11 determined--by--the--rules--and--regulations--issued--by--the
12 Director-for-the-filing-of-claims-for-benefits,--provided-that
13 such--benefits-were-denied-solely-because-of-subparagraph-(a)
14 of-paragraph-4-of-subsection-B-of-this-Section.

15 (Source: P.A. 87-1178.)