

1 AN ACT concerning employment.

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 adding Section 408.5 as follows:

6 (820 ILCS 405/408.5 new)

7 Sec. 408.5. Additional benefits.

8 A. Additional benefits shall be available:

9 1. Only with respect to benefit years beginning on or
10 after April 1, 2015 and prior to the effective date of this
11 amendatory Act of the 99th General Assembly; and

12 2. To an otherwise eligible individual: (a) who was
13 certified as eligible to apply for adjustment assistance
14 under the federal Trade Act of 1974, as amended, on or
15 after January 1, 2015; (b) who has not received the maximum
16 amount of trade readjustment allowances payable to him or
17 her pursuant to paragraph (1) of subsection (a) of Section
18 233 of the federal Trade Act of 1974, as amended, as a
19 result of the certification referenced in item (a) of this
20 paragraph 2; and (c) whose total or partial unemployment is
21 attributable to a layoff from a steel manufacturer.

22 B. An individual shall be eligible to receive additional
23 benefits pursuant to this Section for a week if he or she: (1)

1 has met the requirements of Section 500E of this Act; (2) is an
2 exhaustee; and (3) except when the result would be inconsistent
3 with the provisions of this Section, has satisfied the
4 requirements of this Act for the receipt of regular benefits as
5 that term is defined in Section 409 of this Act.

6 C. For the purposes of this Section, an individual is an
7 exhaustee with respect to a week if:

8 1. Prior to such week: (a) he or she has received, with
9 respect to his or her current benefit year that includes
10 such week, the maximum total amount of benefits to which he
11 or she was entitled under the provisions of Section 403B,
12 and all of the regular benefits (including dependents'
13 allowances) to which he or she had entitlement (if any) on
14 the basis of wages or employment under any other State
15 unemployment compensation law; or (b) he or she has
16 received all the regular benefits available to him or her
17 with respect to his or her current benefit year that
18 includes such week, under this Act and under any other
19 State unemployment compensation law, after a cancellation
20 of some or all of his or her wage credits or the partial or
21 total reduction of his or her regular benefit rights; or
22 (c) his or her benefit year terminated, and he or she
23 cannot meet the qualifying wage requirements of Section
24 500E of this Act or the qualifying wage or employment
25 requirements of any other State unemployment compensation
26 law to establish a new benefit year which would include

1 such week or, having established a new benefit year that
2 includes such week, he or she is ineligible for regular
3 benefits by reason of Section 607 of this Act or a like
4 provision of any other State unemployment compensation
5 law; and

6 2. For such week: (a) he or she has no right to
7 benefits or allowances, as the case may be, under the
8 Railroad Unemployment Insurance Act, the federal Trade Act
9 of 1974, as amended, or such other federal laws as are
10 specified in regulations of the United States Secretary of
11 Labor or other appropriate federal agency; and (b) he or
12 she has not received and is not seeking benefits under the
13 unemployment compensation law of Canada, except that if he
14 or she is seeking such benefits and the appropriate agency
15 finally determines that he or she is not entitled to
16 benefits under such law, this clause shall not apply; and

17 3. The week for which additional benefits are being
18 claimed is not later than seventy-eight weeks after the end
19 of the individual's benefit year for which benefits can be
20 claimed under this Section.

21 For the purposes of clauses (a) and (b) of paragraph 1 of
22 this subsection, an individual shall be deemed to have
23 received, with respect to his or her current benefit year, the
24 maximum total amount of benefits to which he or she was
25 entitled or all of the regular benefits to which he or she had
26 entitlement, or all of the regular benefits available to him or

1 her, as the case may be, even though: (a) as a result of a
2 pending reconsideration or appeal with respect to the "finding"
3 defined in Section 701, or of a pending appeal with respect to
4 wages or employment or both under any other State unemployment
5 compensation law, he or she may subsequently be determined to
6 be entitled to more regular benefits; or (b) by reason of a
7 seasonality provision in a State unemployment compensation law
8 which establishes the weeks of the year for which regular
9 benefits may be paid to individuals on the basis of wages in
10 seasonal employment he or she may be entitled to regular
11 benefits for future weeks but such benefits are not payable
12 with respect to the week for which he or she is claiming
13 additional benefits, provided that he or she is otherwise an
14 exhaustee under the provisions of this subsection with respect
15 to his or her rights to regular benefits, under such
16 seasonality provision, during the portion of the year in which
17 that week occurs; or (c) having established a benefit year, no
18 regular benefits are payable to him or her with respect to such
19 year because his or her wage credits were cancelled or his or
20 her rights to regular benefits were totally reduced by reason
21 of the application of a disqualification provision of a State
22 unemployment compensation law.

23 An individual shall not cease to be an exhaustee with
24 respect to any week solely because he or she meets the
25 qualifying wage requirements of Section 500E for a part of such
26 week.

1 D. The provisions of Section 607 and the waiting period
2 requirements of Section 500D shall not be applicable to any
3 week with respect to which benefits are otherwise payable under
4 this Section.

5 E. With respect to any week payable under this Section, an
6 exhaustee's "weekly additional benefit amount" shall be the
7 same as his or her weekly benefit amount during his or her
8 benefit year which includes such week or, if such week is not
9 in a benefit year, during his or her applicable benefit year,
10 as defined in regulations issued by the United States Secretary
11 of Labor or other appropriate federal agency. If the exhaustee
12 had more than one weekly benefit amount during his or her
13 benefit year, his or her weekly additional benefit amount with
14 respect to such week shall be the latest of such weekly benefit
15 amounts.

16 F. An eligible exhaustee shall be entitled to a maximum
17 total amount of additional benefits equal to the maximum total
18 amount of benefits to which he or she was entitled under
19 Section 403B, plus dependents' allowances, during his or her
20 applicable benefit year, minus the sum of any trade
21 readjustment allowances he or she has received as a result of
22 the certification referenced in item (a) of paragraph 2 of
23 subsection A.

24 G. 1. A claims adjudicator shall examine the first claim
25 filed by an individual who meets the requirements of subsection
26 A and, on the basis of the information in his or her

1 possession, shall make an "additional benefits finding". Such
2 finding shall state whether or not the individual has met the
3 requirement of subsection E of Section 500 of this Act, is an
4 exhaustee and, if so, his or her weekly additional benefit
5 amount and the maximum total amount of additional benefits to
6 which he or she is entitled. The claims adjudicator shall
7 promptly notify the individual of his or her "additional
8 benefits finding", and shall promptly notify the individual's
9 most recent employing unit and the individual's last employer
10 (referred to in Section 1502.1) that the individual has filed a
11 claim for additional benefits. The claims adjudicator may
12 reconsider his or her "additional benefits finding" at any time
13 within 2 years after the close of the individual's applicable
14 benefit year, and shall promptly notify the individual of such
15 reconsidered finding. All of the provisions of this Act
16 applicable to reviews from findings or reconsidered findings
17 made pursuant to Sections 701 and 703 which are not
18 inconsistent with the provisions of this subsection shall be
19 applicable to reviews from additional benefits findings and
20 reconsidered additional benefits findings.

21 2. If, pursuant to the reconsideration or appeal with
22 respect to a "finding", referred to in subsection C, an
23 exhaustee is found to be entitled to more regular benefits and,
24 by reason thereof, is entitled to more additional benefits, the
25 claims adjudicator shall make a reconsidered additional
26 benefits finding and shall promptly notify the exhaustee

1 thereof.

2 H. Benefits payable pursuant to this Section shall be paid
3 from the unemployment trust fund.

4 I. No employer shall be chargeable for the additional
5 benefits paid under this Section.

6 J. To ensure full compliance and coordination with all
7 applicable federal laws, including, but not limited to, the
8 federal Trade Act of 1974, as amended, the Federal Unemployment
9 Tax Act, and the Social Security Act, the Director shall take
10 any action or issue any regulations necessary in the
11 administration of this Section to ensure that its provisions
12 are so interpreted and applied as to meet the requirements of
13 such federal Act as interpreted by the United States Secretary
14 of Labor or other appropriate Federal agency.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.