

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.)