

1 AN ACT to amend the Unemployment Insurance Act by
2 changing Section 500.

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

5 Section 5. The Unemployment Insurance Act is amended by
6 changing Section 500 as follows:

7 (820 ILCS 405/500) (from Ch. 48, par. 420)

8 Sec. 500. Eligibility for benefits. An unemployed
9 individual shall be eligible to receive benefits with respect
10 to any week only if the Director finds that:

11 A. He has registered for work at and thereafter has
12 continued to report at an employment office in accordance
13 with such regulations as the Director may prescribe, except
14 that the Director may, by regulation, waive or alter either
15 or both of the requirements of this subsection as to
16 individuals attached to regular jobs, and as to such other
17 types of cases or situations with respect to which he finds
18 that compliance with such requirements would be oppressive or
19 inconsistent with the purposes of this Act, provided that no
20 such regulation shall conflict with Section 400 of this Act.

21 B. He has made a claim for benefits with respect to such
22 week in accordance with such regulations as the Director may
23 prescribe.

24 C. He is able to work, and is available for work;
25 provided that during the period in question he was actively
26 seeking work and he has certified such. Whenever requested
27 to do so by the Director, the individual shall, in the manner
28 the Director prescribes by regulation, inform the Department
29 of the places at which he has sought work during the period
30 in question. Nothing in this subsection shall limit the
31 Director's approval of alternate methods of demonstrating an

1 active search for work based on regular reporting to a trade
2 union office.

3 1. If an otherwise eligible individual is unable to
4 work or is unavailable for work on any normal workday of
5 the week, he shall be eligible to receive benefits with
6 respect to such week reduced by one-fifth of his weekly
7 benefit amount for each day of such inability to work or
8 unavailability for work. For the purposes of this
9 paragraph, an individual who reports on a day subsequent
10 to his designated report day shall be deemed unavailable
11 for work on his report day if his failure to report on
12 that day is without good cause, and on each intervening
13 day, if any, on which his failure to report is without
14 good cause. As used in the preceding sentence, "report
15 day" means the day which has been designated for the
16 individual to report to file his claim for benefits with
17 respect to any week. This paragraph shall not be
18 construed so as to effect any change in the status of
19 part-time workers as defined in Section 407.

20 2. An individual shall be considered to be
21 unavailable for work on days listed as whole holidays in
22 "An Act to revise the law in relation to promissory
23 notes, bonds, due bills and other instruments in
24 writing," approved March 18, 1874, as amended; on days
25 which are holidays in his religion or faith, and on days
26 which are holidays according to the custom of his trade
27 or occupation, if his failure to work on such day is a
28 result of the holiday. In determining the claimant's
29 eligibility for benefits and the amount to be paid him,
30 with respect to the week in which such holiday occurs, he
31 shall have attributed to him as additional earnings for
32 that week an amount equal to one-fifth of his weekly
33 benefit amount for each normal work day on which he does
34 not work because of a holiday of the type above

1 enumerated.

2 3. An individual shall be deemed unavailable for
3 work if, after his separation from his most recent
4 employing unit, he has removed himself to and remains in
5 a locality where opportunities for work are substantially
6 less favorable than those in the locality he has left.

7 4. An individual shall be deemed unavailable for
8 work with respect to any week which occurs in a period
9 when his principal occupation is that of a student in
10 attendance at, or on vacation from, a public or private
11 school.

12 5. Notwithstanding any other provisions of this
13 Act, an individual shall not be deemed unavailable for
14 work or to have failed actively to seek work, nor shall
15 he be ineligible for benefits by reason of the
16 application of the provisions of Section 603, with
17 respect to any week, because he is enrolled in and is in
18 regular attendance at a training course approved for him
19 by the Director:

20 (a) but only if, with respect to that week,
21 the individual presents, upon request, to the claims
22 adjudicator referred to in Section 702 a statement
23 executed by a responsible person connected with the
24 training course, certifying that the individual was
25 in full-time attendance at such course during the
26 week. The Director may approve such course for an
27 individual only if he finds that (1) reasonable work
28 opportunities for which the individual is fitted by
29 training and experience do not exist in his
30 locality; (2) the training course relates to an
31 occupation or skill for which there are, or are
32 expected to be in the immediate future, reasonable
33 work opportunities in his locality; (3) the training
34 course is offered by a competent and reliable

1 agency, educational institution, or employing unit;
2 (4) the individual has the required qualifications
3 and aptitudes to complete the course successfully;
4 and (5) the individual is not receiving and is not
5 eligible (other than because he has claimed benefits
6 under this Act) for subsistence payments or similar
7 assistance under any public or private retraining
8 program: Provided, that the Director shall not
9 disapprove such course solely by reason of clause
10 (5) if the subsistence payment or similar assistance
11 is subject to reduction by an amount equal to any
12 benefits payable to the individual under this Act in
13 the absence of the clause. In the event that an
14 individual's weekly unemployment compensation
15 benefit is less than his certified training
16 allowance, that person shall be eligible to receive
17 his entire unemployment compensation benefits, plus
18 such supplemental training allowances that would
19 make an applicant's total weekly benefit identical
20 to the original certified training allowance.

21 (b) The Director shall have the authority to
22 grant approval pursuant to subparagraph (a) above
23 prior to an individual's formal admission into a
24 training course. Requests for approval shall not be
25 made more than 30 days prior to the actual starting
26 date of such course. Requests shall be made at the
27 appropriate unemployment office. ~~Notwithstanding any~~
28 ~~other provision to the contrary, the Director shall~~
29 ~~approve a course for an individual if the course is~~
30 ~~provided to the individual under Title III of the~~
31 ~~federal Job Training Partnership Act.~~

32 (c) The Director shall for purposes of
33 paragraph C have the authority to issue a blanket
34 approval of training programs implemented pursuant

1 to the federal Workforce Investment Act of 1998
2 ~~Comprehensive--Employment--and--Training-Act-and-the~~
3 ~~Job-Training-Partnership-Act~~ if both the training
4 program and the criteria for an individual's
5 participation in such training meet the requirements
6 of this paragraph C.

7 (d) Notwithstanding the requirements of
8 subparagraph (a), the Director shall have the
9 authority to issue blanket approval of training
10 programs implemented under the terms of a collective
11 bargaining agreement.

12 6. Notwithstanding any other provisions of this
13 Act, an individual shall not be deemed unavailable for
14 work or to have failed actively to seek work, nor shall
15 he be ineligible for benefits, by reason of the
16 application of the provisions of Section 603 with respect
17 to any week because he is in training approved under
18 Section 236 (a)(1) of the federal Trade Act of 1974, nor
19 shall an individual be ineligible for benefits under the
20 provisions of Section 601 by reason of leaving work
21 voluntarily to enter such training if the work left is
22 not of a substantially equal or higher skill level than
23 the individual's past adversely affected employment as
24 defined under the federal Trade Act of 1974 and the wages
25 for such work are less than 80% of his average weekly
26 wage as determined under the federal Trade Act of 1974.

27 D. If his benefit year begins prior to July 6, 1975 or
28 subsequent to January 2, 1982, he has been unemployed for a
29 waiting period of 1 week during such benefit year. If his
30 benefit year begins on or after July 6, 1975, but prior to
31 January 3, 1982, and his unemployment continues for more than
32 three weeks during such benefit year, he shall be eligible
33 for benefits with respect to each week of such unemployment,
34 including the first week thereof. An individual shall be

1 deemed to be unemployed within the meaning of this subsection
2 while receiving public assistance as remuneration for
3 services performed on work projects financed from funds made
4 available to governmental agencies for such purpose. No week
5 shall be counted as a week of unemployment for the purposes
6 of this subsection:

7 1. Unless it occurs within the benefit year which
8 includes the week with respect to which he claims payment
9 of benefits, provided that, for benefit years beginning
10 prior to January 3, 1982, this requirement shall not
11 interrupt the payment of benefits for consecutive weeks
12 of unemployment; and provided further that the week
13 immediately preceding a benefit year, if part of one
14 uninterrupted period of unemployment which continues into
15 such benefit year, shall be deemed (for the purpose of
16 this subsection only and with respect to benefit years
17 beginning prior to January 3, 1982, only) to be within
18 such benefit year, as well as within the preceding
19 benefit year, if the unemployed individual would, except
20 for the provisions of the first paragraph and paragraph 1
21 of this subsection and of Section 605, be eligible for
22 and entitled to benefits for such week.

23 2. If benefits have been paid with respect thereto.

24 3. Unless the individual was eligible for benefits
25 with respect thereto except for the requirements of this
26 subsection and of Section 605.

27 E. With respect to any benefit year beginning prior to
28 January 3, 1982, he has been paid during his base period
29 wages for insured work not less than the amount specified in
30 Section 500E of this Act as amended and in effect on October
31 5, 1980. With respect to any benefit year beginning on or
32 after January 3, 1982, he has been paid during his base
33 period wages for insured work equal to not less than \$1,600,
34 provided that he has been paid wages for insured work equal

1 to at least \$440 during that part of his base period which
2 does not include the calendar quarter in which the wages paid
3 to him were highest.

4 F. During that week he has participated in reemployment
5 services to which he has been referred, including but not
6 limited to job search assistance services, pursuant to a
7 profiling system established by the Director by rule in
8 conformity with Section 303(j)(1) of the federal Social
9 Security Act, unless the Director determines that:

- 10 1. the individual has completed such services; or
11 2. there is justifiable cause for the claimant's
12 failure to participate in such services.

13 This subsection F is added by this amendatory Act of 1995
14 to clarify authority already provided under subsections A and
15 C in connection with the unemployment insurance claimant
16 profiling system required under subsections (a)(10) and
17 (j)(1) of Section 303 of the federal Social Security Act as a
18 condition of federal funding for the administration of the
19 Unemployment Insurance Act.

20 (Source: P.A. 89-21, eff. 6-6-95; 90-554, eff. 12-12-97.)