

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 604 as follows:

6 (820 ILCS 405/604) (from Ch. 48, par. 434)

7 Sec. 604. Labor dispute. An individual shall be
8 ineligible for benefits for any week with respect to which it
9 is found that his total or partial unemployment is due to a
10 stoppage of work which exists because of a labor dispute at
11 the factory, establishment, or other premises at which he is
12 or was last employed. The term "labor dispute" does not
13 include an individual's refusal to work because of his
14 employer's failure to pay accrued earned wages within 10
15 working days from the date due, or to pay any other
16 uncontested accrued obligation arising out of his employment
17 within 10 working days from the date due.

18 For the purpose of disqualification under this Section
19 the term "labor dispute" does not include a lockout by an
20 employer, and no individual shall be denied benefits by
21 reason of a lockout, provided that no individual shall be
22 eligible for benefits during a lockout who is ineligible for
23 benefits under another Section of this Act, and provided
24 further that no individual locked out by an employer shall be
25 eligible for benefits for any week during which (1) the
26 ~~employer-refuses-to-meet-under-reasonable-conditions-with-the~~
27 recognized or certified collective bargaining representative
28 of the locked out employees refuses to meet under reasonable
29 conditions with the employer to discuss the issues giving
30 rise to the lockout or (2) there is a final adjudication
31 under the National Labor Relations Act that during the period

1 of the lockout the ~~employer-has-refused-to--bargain--in--good~~
2 ~~faith--with-the~~ recognized or certified collective bargaining
3 representative of the locked-out employees has refused to
4 bargain in good faith with the employer over issues giving
5 rise to the lockout, or (3) the lockout has resulted as a
6 direct consequence of a violation by the recognized or
7 certified collective bargaining representative of the locked
8 out employees of violates the provisions of an existing
9 collective bargaining agreement. An individual's total or
10 partial unemployment resulting from any reduction in
11 operations or reduction of force or layoff of employees by an
12 employer made in the course of or in anticipation of
13 collective bargaining negotiations between a labor
14 organization and such employer, is not due to a stoppage of
15 work which exists because of a labor dispute until the date
16 of actual commencement of a strike or lockout.

17 This Section shall not apply if it is shown that (A) the
18 individual is not participating in or financing or directly
19 interested in the labor dispute which caused the stoppage of
20 work and (B) he does not belong to a grade or class of
21 workers of which immediately before the commencement of the
22 stoppage there were members employed at the premises at which
23 the stoppage occurs, any of whom are participating in or
24 financing or directly interested in the dispute; provided,
25 that a lockout by the employer or an individual's failure to
26 cross a picket line at such factory, establishment, or other
27 premises shall not, in itself, be deemed to be participation
28 by him in the labor dispute. If in any case, separate
29 branches of work which are commonly conducted as separate
30 businesses in separate premises are conducted in separate
31 departments of the same premises, each such department shall,
32 for the purpose of this Section, be deemed to be a separate
33 factory, establishment, or other premises.

34 Whenever any claim involves the provisions of this

1 Section, the claims adjudicator referred to in Section 702
2 shall make a separate determination as to the eligibility or
3 ineligibility of the claimant with respect to the provisions
4 of this Section. This separate determination may be appealed
5 to the Director in the manner prescribed by Section 800.
6 (Source: P.A. 85-956.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.