

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.)