

CHAPTER 432

(House Bill 116)

AN ACT concerning

Unemployment Insurance - Separation Notices

FOR the purpose of establishing a single monetary penalty on employers for failure to file on time certain separation notices with the Secretary of Employment and Training; and clarifying that this penalty applies to failure to return certain reports of earnings.

BY repealing and reenacting, with amendments,

Article 95A - Unemployment Insurance Law  
Section 12(g)(3)  
Annotated Code of Maryland  
(1985 Replacement Volume and 1986 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 95A - Unemployment Insurance Law

12.

(g) (3) Each employer, upon request by the [Executive Director] SECRETARY, shall furnish a report of the separation from employment of every individual who leaves his or its employ. IN ADDITION, UPON REQUEST BY THE SECRETARY, EACH EMPLOYER SHALL FURNISH A REPORT OF EARNINGS OF ANY INDIVIDUAL. A separate notice on forms or in a manner to be prescribed by the [Executive Director] SECRETARY shall be returned to the [Executive Director] SECRETARY not later than the end of the [fourth] 4TH business or working day following the day on which it is requested by the [Executive Director] SECRETARY, but separation notices shall not be required in case of mass layoffs. Failure to file such separation notice OR REPORT OF EARNINGS in the manner prescribed by the [Executive Director] SECRETARY shall subject the employer to a penalty of [from \$5 to \$15, as determined by the Executive Director in each instance,] \$15 for each such notice that is not filed. The [Executive Director] SECRETARY may waive the penalty for cause. Such penalties shall be collected in the manner prescribed for the collection of contributions under this article. Provided, that the [Executive Director] SECRETARY may, in his discretion, by regulation exempt any class of employers from the requirements of this paragraph, if the type and character of the employment would, in the opinion of the [Executive Director] SECRETARY make its application unreasonably onerous or impractical. Whenever an employer expects to lay off