

employer provides that all of the employees included in the exemption shall return to work for that employer within 26 weeks, and the Secretary determines that the work search exemption for the affected employees will promote productivity and economic stability within the State. However, such employees must comply with the provisions of subsection (a) of this section and must be able to work and otherwise available for work. Exemption may be granted only with regard to a specific plant shutdown, and shall not be construed to exempt any claimant from meeting the requirements of this article that he is able to work and otherwise fully available for work.

Provided further that notwithstanding any other provisions of this subsection, no otherwise eligible individual shall be denied benefits for any week because he is in training with the approval of the Secretary, nor shall such individual be denied benefits with respect to any week in which he is in training with the approval of the Secretary by reason of the application of the provisions in this subsection relating to availability for work and active search for work or the provisions of § 6(d) of this article relating to failure to apply for, or refusal to [accept] ACCEPT, suitable work.

If the failure results from a summons before any court of the United States or of any state to appear for jury duty, a claimant may not be considered ineligible in any week for failing to comply with the provisions of this subsection.

DRAFTER'S NOTE:

Error: Omitted comma in Article 95A, § 4(c).

Occurred: Ch. 790, Acts of 1971.

6.

(g) (1) For any week with respect to which the individual is receiving or has received an amount, calculated pursuant to [paragraphs] SUBPARAGRAPHS (i) and (ii) OF THIS PARAGRAPH, equal to or in excess of his weekly benefit amount in the form of a pension, annuity or retirement or retired pay, or any other similar periodic payment which is based on any previous insured work of the individual for a base period employer (but excluding payments from a state or federal workmen's compensation program) under a plan paid for in whole or in part by a base period employer. (i) The entire amount which an individual received or will receive with respect to a week in the form of a retirement payment from a base period employing unit for which he performed services and which pays all of the cost of such retirement payment, or from a trust, annuity, profit sharing plan, or insurance fund, or under an annuity or insurance contract, to or under which a base period employing unit for which he performed service pays or has paid all the premiums or contributions; and