

In subsection (a) of this section, the reference to a "lump sum" payment is added in light of subsection (c)(3) of this section. Although former Art. 95A, § 6(g)(1) specifically referred only to a "periodic payment", § 6(g)(3)(ii) provided for the computation of a "lump sum" payment.

As to the addition of the clause "who otherwise is eligible to receive benefits", in subsection (b)(1) of this section, see the revisor's note to § 8-1001 of this subtitle.

The introductory language of subsection (c)(1) of this section is revised to state the effect of items (1)(i) and (ii), which revise former Art. 95A, § 6(g)(1)(i) and (ii). Although the former provision was punctuated as a sentence, it failed to express a complete thought. The introductory language, which is based on a cross-reference in former § 6(g)(1) to "an amount, calculated pursuant to subparagraphs (i) and (ii)", seemed the logical completion of the thought. The Labor and Employment Article Review Committee calls this revision to the attention of the General Assembly.

In subsection (c)(1) of this section, the defined term "base period employer" is substituted for the former reference to a "base period employing unit", for accuracy.

Also in subsection (c)(1) of this section, the reference to the cost "of the plan that provides the retirement payment" is substituted for the former reference to the cost "of such retirement payment" for accuracy, since by definition, a "retirement payment" is "under a plan", not directly from the base period employer.

Defined terms: "Base period employer" § 8-101
 "Benefits" § 8-101 "Secretary" § 8-101
 "Wages" § 8-101

8-1009. SEVERANCE PAY.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO UNEMPLOYMENT THAT RESULTS FROM ABOLISHMENT OF THE INDIVIDUAL'S JOB.

(B) EFFECT OF PAYMENT.

FOR EACH WEEK FOR WHICH THE SECRETARY FINDS THAT AN INDIVIDUAL WHO OTHERWISE IS ELIGIBLE FOR BENEFITS RECEIVES OR FILES OR IS ELIGIBLE TO FILE A CLAIM FOR DISMISSAL PAYMENT OR WAGES IN LIEU OF NOTICE, REGARDLESS OF WHETHER THE PAYMENT IS REQUIRED BY LAW:

(1) IF THE PAYMENT AT LEAST EQUALS THE INDIVIDUAL'S WEEKLY BENEFIT AMOUNT, THE INDIVIDUAL IS DISQUALIFIED FROM RECEIVING BENEFITS; OR