

8-1206. ELIGIBILITY FOR BENEFITS.

(A) DETERMINATION BY SECRETARY.

AN AFFECTED EMPLOYEE IS ELIGIBLE UNDER § 8-1207 OF THIS SUBTITLE TO RECEIVE WORK SHARING BENEFITS FOR EACH WEEK IN WHICH THE SECRETARY DETERMINES THAT THE AFFECTED EMPLOYEE:

(1) IS ABLE TO WORK; AND

(2) IS AVAILABLE FOR MORE HOURS OF WORK OR FULL-TIME WORK FOR THE WORK SHARING EMPLOYER.

(B) ACTIVITIES NOT REQUIRED.

(1) AN AFFECTED EMPLOYEE WHO OTHERWISE IS ELIGIBLE MAY NOT BE DENIED WORK SHARING BENEFITS FOR FAILURE TO ACTIVELY SEEK WORK UNDER § 8-903(A)(1)(III) OF THIS TITLE FROM A PERSON OTHER THAN THE WORK SHARING EMPLOYER.

(2) AN AFFECTED EMPLOYEE MAY NOT BE DISQUALIFIED UNDER § 8-1005 OF THIS TITLE FOR REFUSAL TO APPLY FOR OR ACCEPT SUITABLE WORK FROM A PERSON OTHER THAN THE WORK SHARING EMPLOYER.

(C) UNEMPLOYMENT STATUS.

AN AFFECTED EMPLOYEE WHO IS OTHERWISE ELIGIBLE FOR BENEFITS:

(1) IS CONSIDERED TO BE UNEMPLOYED FOR THE PURPOSE OF THE WORK SHARING UNEMPLOYMENT INSURANCE PROGRAM; AND

(2) IS NOT SUBJECT TO THE REQUIREMENT UNDER § 8-801 OF THIS TITLE THAT AN INDIVIDUAL BE UNEMPLOYED.

(D) CLAIMS AND PAYMENT.

UNLESS THE RESULT WOULD BE INCONSISTENT WITH THIS SUBTITLE, THE PROVISIONS OF THIS TITLE THAT APPLY TO A CLAIM FOR AND PAYMENT OF OTHER BENEFITS APPLY TO A CLAIM FOR AND PAYMENT OF WORK SHARING BENEFITS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 24(h) and (i).

In subsection (a) of this section, the former reference to an affected employee who "is working for an employer in an affected unit for whom a work sharing plan has been approved by the Secretary" is deleted as unnecessary in light of the defined terms "affected employee" and "work sharing employer".