~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 22, 2018

**S. 1027**

Introduced by Senator Young

S. Printed 3/22/18--S.

Read the first time February 20, 2018.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (S. 1027) to amend Section 41-27-370(4) of the 1976 Code, relating to unemployment, to provide that the filing provisions imposed pursuant to a regulation or procedure, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 41-27-370(4) of the 1976 Code is amended to read:

“(4) An individual may not be considered unemployed in a week, not to exceed two in any benefit year, in which the department finds his unemployment is due to a vacation week that is constituted a vacation period without pay by reason of a written contract between the employer and the employees or by reason of the employer’s written vacation policy ~~and practice to~~ for his employees. This provision applies only if the department finds employment will be available for the claimant with the employer at the end of a vacation period as described in this section. This subsection is not applicable to a claimant whose employer fails to comply, in respect to this vacation period, with the requirements of a regulation or procedure of the department regarding the filing of a notice, report, information, or claim in connection with an individual, group, or mass separation arising from the vacation, provided that filing requirements imposed pursuant to such a regulation or procedure of the department do not apply to employers in this State with fewer than fifty employees.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

THOMAS C. ALEXANDER for Committee.

**A** **BILL**

TO AMEND SECTION 41-27-370(4) OF THE 1976 CODE, RELATING TO UNEMPLOYMENT, TO PROVIDE THAT THE FILING PROVISIONS IMPOSED PURSUANT TO A REGULATION OR PROCEDURE OF THE DEPARTMENT DO NOT APPLY TO EMPLOYERS IN THIS STATE WITH FEWER THAN FIFTY EMPLOYEES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 41-27-370(4) of the 1976 Code is amended to read:

“(4) An individual may not be considered unemployed in a week, not to exceed two in any benefit year, in which the department finds his unemployment is due to a vacation week that is constituted a vacation period without pay by reason of a written contract between the employer and the employees or by reason of the employer’s vacation policy and practice to his employees. This provision applies only if the department finds employment will be available for the claimant with the employer at the end of a vacation period as described in this section. This subsection is not applicable to a claimant whose employer fails to comply, in respect to this vacation period, with the requirements of a regulation or procedure of the department regarding the filing of a notice, report, information, or claim in connection with an individual, group, or mass separation arising from the vacation. Filing requirements imposed pursuant to a regulation or procedure of the department are not required for employers in this State with fewer than fifty employees.”

SECTION 2. This act takes effect upon approval by the Governor.

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