

FOR AN ACT ENTITLED, An Act to clarify eligibility of part-time workers and to provide additional benefits to workers attending approved training.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 61-6 be amended by adding there to a NEW SECTION to read as follows.

An individual shall not be denied regular benefits based on the application of §61-6-2 (3) relating to availability for work, A.R.S.D. 47:06:04:21 relating to active search for work, or §61-6-15 relating to refusal to accept work, solely because such individual is seeking only part-time work, if the department determines that a majority of the weeks of work in the individual's base period were for less than full-time work. For purposes of this section, "seeking only part-time work" is defined as seeking work that has comparable hours to the individual's part-time work experience in their base period.

Section 2. That chapter 61-6 be amended by adding there to a NEW SECTION to read as follows.

In addition to and subsequent to payment of all benefits otherwise allowed under this chapter and without restriction with respect to an individual's benefit year, training extension benefits shall be payable to any individual if all of the following criteria are met:

- (1) The individual is unemployed;
- (2) The individual has exhausted all rights to regular and extended benefits;
- (3) The individual is enrolled, no later than the end of the benefit year established with respect to the separation that makes the individual eligible for the training benefit, and making satisfactory progress, as determined by the Secretary, in a training program approved by the department, or in a job training program authorized under the Workforce Investment Act of 1998. Each such training program shall prepare individuals who have been separated from a declining occupation, as determined by the department, or who have been involuntarily and indefinitely separated from employment as a result of a permanent reduction of operations at the individual's place of employment, for entry into a high-demand occupation, as determined by the department; and
- (4) The individual is not receiving similar stipends or other training allowances for non-training costs.

The amount of unemployment compensation payable under this section to an individual for a week of unemployment shall be equal to the individual's weekly benefit amount for their most recent benefit year, less deductible earnings or income, if any. The total amount payable under this section to any individual shall be equal to 26 times the individual's weekly benefit amount for their most recent benefit year. The former

employer's experience-rating account will not be charged for benefits paid under this section.