17.0476.01000

Sixty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1260

Introduced by

Representative M. Nelson

A BILL for an Act to amend and reenact subsection 4 of section 52-06-02 of the North Dakota Century Code, relating to unemployment insurance eligibility in the case of a labor dispute.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 52-06-02 of the North Dakota Century Code is amended and reenacted as follows:

4. For any week with respect to which it is found that the individual's unemployment is due to ~~any kind of labor dispute, including~~ a strike, sympathy strike, or ~~lockout~~a claimant's work stoppage dispute of any kind which exists because of a labor dispute at the factory, establishment, or other premises at which the individual is or was last employed; provided, that this subsection does not apply if it is shown that:
   a. The individual is not participating in or directly interested in the labor dispute which caused the strike, sympathy strike, or a claimant's work stoppage dispute of any kind; and
   b. The individual does not belong to a grade or class of workers of which, immediately before the commencement of the ~~labor dispute~~stoppage, there were members employed at the premises at which the ~~labor~~strike, sympathy strike, or a claimant's work stoppage dispute of any kind occurs, any of whom are participating in or directly interested in the ~~labor~~ dispute; provided, that if in any case separate branches of work, which are commonly conducted as separate businesses in separate premises, are conducted in separate departments of the same premises, each such department must, for the purpose of this subsection, be deemed to be a separate factory, establishment, or other premises.