

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2108

Introduced by

Industry, Business and Labor Committee

(At the request of Job Service North Dakota)

1 A BILL for an Act to amend and reenact section 52-06-01 of the North Dakota Century Code,
2 relating to eligibility for unemployment compensation benefits.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 52-06-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **52-06-01. Conditions required to be eligible for benefits.** An unemployed individual
7 is eligible to receive benefits with respect to any week only if the bureau finds that:

- 8 1. The individual has made a claim for benefits with respect to such week in
9 accordance with such regulations as the bureau may prescribe;
- 10 2. The individual has registered for work ~~at~~, and thereafter continued to ~~report at, an~~
11 ~~employment office~~ complete all assigned services and report to a local office as
12 required in accordance with such regulations as the bureau may prescribe, except
13 that the bureau may, by regulation, waive or alter either or both of the
14 requirements of this subsection as to individuals attached to regular jobs and as to
15 such other types of cases or situations with respect to which it finds that
16 compliance with such requirements would be oppressive, or would be inconsistent
17 with the purposes of the North Dakota unemployment compensation law; provided,
18 that no such regulation shall conflict with section 52-06-03;
- 19 3. The individual is able to work and is available for suitable work and actively
20 seeking work, provided:
 - 21 a. That notwithstanding any other provisions in this section, no otherwise eligible
22 individual may be denied benefits for any week because the individual is in
23 training with the approval of the bureau by reason of the application of
24 provisions of this subsection relating to availability for work and to active

- 1 search for work, or the provisions of subsection 3 of section 52-06-02 relating
- 2 to disqualification for benefits for failure to apply for, or a refusal to accept,
- 3 suitable work; and
- 4 b. That no claimant may be considered ineligible in any week of unemployment
- 5 for failure to comply with this subsection, if the failure is due to an illness or
- 6 disability not covered by workforce safety and insurance and which occurred
- 7 after the claimant has registered for work and no work has been offered the
- 8 claimant which is suitable;
- 9 4. The individual has been unemployed for a waiting period of one week. No week
- 10 may be counted as a week of unemployment for the purposes of this subsection:
- 11 a. Unless it occurs within the benefit year which includes the week with respect
- 12 to which the individual claims payment of benefits;
- 13 b. If benefits have been paid with respect thereto; and
- 14 c. Unless the individual was eligible for benefits, with respect thereto as
- 15 provided in this section and section 52-06-02; and
- 16 5. The individual participates in reemployment services, such as job search
- 17 assistance services, if the individual has been determined to be likely to exhaust
- 18 regular benefits and to need reemployment services pursuant to a profiling system
- 19 established by the bureau, unless the bureau determines that:
- 20 a. The individual has completed these services; or
- 21 b. There is justifiable cause for the claimant's failure to participate in these
- 22 services.