

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 894
Commerce Committee Substitute Adopted 5/13/09
PROPOSED HOUSE COMMITTEE SUBSTITUTE S894-PCS75295-SF-50

Short Title: UI/School Teacher Related Amendments.

(Public)

Sponsors:

Referred to:

March 26, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS RELATING TO THE
3 DEFINITION OF SUBSTITUTE TEACHER AND OTHER SCHOOL-RELATED
4 POSITIONS IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE
5 BENEFITS AND RELATING TO DISQUALIFICATION FOR BENEFITS DUE TO
6 INABILITY TO OBTAIN A LICENSE OR CERTIFICATION NECESSARY FOR THE
7 PERFORMANCE OF AN INDIVIDUAL'S EMPLOYMENT.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 96-8(6)k. is amended by adding the following new
10 sub-subdivisions to read:

11 "21. Service performed by a substitute teacher or other substitute
12 employee for a public, charter, or private school unless the
13 individual was employed as a full-time permanent substitute.
14 For the purposes of this sub-subdivision only, an individual is
15 employed as a full-time substitute when employed to work on
16 an indefinite basis no less than 30 hours per week.

17 22. Performance of extra duties for a public, charter, or private
18 school. Such extra duties include coaching athletics, acting as
19 a choral director, or such other similar activities."

20 SECTION 2. G.S. 96-8(10)e. is repealed.

21 SECTION 3. G.S. 96-14(2b) reads as rewritten:

22 "(2b) For the duration of ~~his~~ the individual's unemployment beginning with the
23 first day of the first week during which or after the disqualifying act occurs
24 with respect to which week an individual files a claim for benefits if it
25 is determined by the Commission that the individual is, at the time such claim
26 is filed, unemployed because the individual has been discharged from
27 employment because a license, certificate, permit, bond, or surety that is
28 necessary for the performance of ~~his~~ the individual's employment and that
29 the individual is responsible to supply has been revoked, suspended, or
30 otherwise lost to ~~him~~ the individual, or ~~his~~ the individual's ability to
31 successfully apply or the individual's application therefor has been lost or
32 denied for a cause that was within ~~his~~ the individual's power to control,
33 guard against, or prevent. No showing of misconduct connected with the



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1 work or substantial fault connected with the work not rising to the level of
2 misconduct shall be required in order for an individual to be disqualified for
3 benefits under this subdivision."

4 **SECTION 4.** This act is effective when it becomes law and applies to claims filed
5 on or after that date.