

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 894  
Commerce Committee Substitute Adopted 5/13/09  
House Committee Substitute Favorable 7/21/09  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S894-PCS55497-SF-51

Short Title: UI/School Teacher-Related Amendments.

(Public)

Sponsors:

Referred to:

March 26, 2009

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

"21. Service performed by a substitute teacher or other substitute  
employee for a public, charter, or private school unless the  
individual was employed as a full-time substitute. For the  
purposes of this sub-subdivision only, an individual is  
employed as a full-time substitute when employed to work at  
least 30 hours per week over at least six consecutive months  
of a school year.

22. Performance of extra duties for a public, charter, or private  
school, such as coaching athletics, acting as a choral director,  
or other extra duties."

**SECTION 2.** G.S. 96-8(10)e. is repealed.

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

"(2b) For the duration of ~~his~~ the individual's unemployment beginning with the  
first day of the first week during which or after the disqualifying act occurs  
with respect to which week an individual files a claim for benefits if it is  
determined by the Commission that the individual is, at the time such claim  
is filed, unemployed because the individual has been discharged from  
employment because a license, certificate, permit, bond, or surety that is  
necessary for the performance of ~~his~~ the individual's employment and that  
the individual is responsible to supply has been revoked, suspended, or  
otherwise lost to ~~him~~, the individual, or ~~his~~ the individual's ability to  
successfully apply or the individual's application therefor has been lost or



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1                   denied for a cause that was within ~~his~~ the individual's power to control,  
2                   guard against, or prevent. No showing of misconduct connected with the  
3                   work or substantial fault connected with the work not rising to the level of  
4                   misconduct shall be required in order for an individual to be disqualified for  
5                   benefits under this subdivision."

6                   **SECTION 4.** This act becomes effective October 1, 2009, and applies to claims  
7                   filed on or after that date.