

LEGISLATIVE BILL 225

Approved by the Governor April 3, 1998

Introduced by Hilgert, 7; Lynch, 13; Preister, 5; Suttle, 10

AN ACT relating to employment security; to amend sections 48-624, 48-627, 48-628, and 48-669, Revised Statutes Supplement, 1996; to change provisions relating to weekly benefit amounts; to change eligibility and disqualification provisions; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 48-624, Revised Statutes Supplement, 1996, is amended to read:

48-624. (1) For any benefit year beginning on or after January 1, 1991, an individual's weekly benefit amount shall be in the amount appearing in Column B in the table in this subsection on the line on which, in Column A of such table, there appear the total wages paid to such individual for insured work, in that quarter, of his or her base period, in which such total wages were highest.

UNEMPLOYMENT BENEFIT TABLE

Column A Wages Paid in Highest Quarter Of Base Period	Column B Weekly Benefit Amount
\$ 400-01 through \$ 450-00	\$ 20-00
450-01 through 500-00	22-00
500-01 through 550-00	24-00
550-01 through 600-00	26-00
600-01 through 650-00	28-00
650-01 through 700-00	30-00
700-01 through 750-00	32-00
750-01 through 800-00	34-00
800-01 through 850-00	36-00
850-01 through 900-00	38-00
900-01 through 950-00	40-00
950-01 through 1,000-00	42-00
1,000-01 through 1,050-00	44-00
1,050-01 through 1,100-00	46-00
1,100-01 through 1,150-00	48-00
1,150-01 through 1,200-00	50-00
1,200-01 through 1,250-00	52-00
1,250-01 through 1,300-00	54-00
1,300-01 through 1,350-00	56-00
1,350-01 through 1,400-00	58-00
1,400-01 through 1,450-00	60-00
1,450-01 through 1,500-00	62-00
1,500-01 through 1,550-00	64-00
1,550-01 through 1,600-00	66-00
1,600-01 through 1,650-00	68-00
1,650-01 through 1,700-00	70-00
1,700-01 through 1,750-00	72-00
1,750-01 through 1,800-00	74-00
1,800-01 through 1,850-00	76-00
1,850-01 through 1,900-00	78-00
1,900-01 through 1,950-00	80-00
1,950-01 through 2,000-00	82-00
2,000-01 through 2,050-00	84-00
2,050-01 through 2,100-00	86-00
2,100-01 through 2,150-00	88-00
2,150-01 through 2,200-00	90-00
2,200-01 through 2,250-00	92-00
2,250-01 through 2,300-00	94-00
2,300-01 through 2,350-00	96-00
2,350-01 through 2,400-00	98-00
2,400-01 through 2,450-00	100-00
2,450-01 through 2,500-00	102-00
2,500-01 through 2,550-00	104-00
2,550-01 through 2,600-00	106-00
2,600-01 through 2,650-00	108-00

2,650.01 through 2,700.00	110.00
2,700.01 through 2,750.00	112.00
2,750.01 through 2,800.00	114.00
2,800.01 through 2,850.00	116.00
2,850.01 through 2,900.00	118.00
2,900.01 through 2,950.00	120.00
2,950.01 through 3,000.00	122.00
3,000.01 through 3,050.00	124.00
3,050.01 through 3,100.00	126.00
3,100.01 through 3,150.00	128.00
3,150.01 through 3,200.00	130.00
3,200.01 through 3,250.00	132.00
3,250.01 through 3,300.00	134.00
3,300.01 through 3,350.00	136.00
3,350.01 through 3,400.00	138.00
3,400.01 through 3,450.00	140.00
3,450.01 through 3,500.00	142.00
3,500.01 and over	144.00

(2) For any benefit year beginning on or after January 1, 1992, an individual's weekly benefit amount shall be in the amount appearing in Column B in the table in this subsection on the line on which, in Column A of such table, there appear the total wages paid to such individual for insured work, in that quarter, of his or her base period, in which such total wages were highest.

UNEMPLOYMENT BENEFIT TABLE

Column A Wages Paid in Highest Quarter Of Base Period	Column B Weekly Benefit Amount
\$ 400.01 through \$ 450.00	\$ 20.00
450.01 through 500.00	22.00
500.01 through 550.00	24.00
550.01 through 600.00	26.00
600.01 through 650.00	28.00
650.01 through 700.00	30.00
700.01 through 750.00	32.00
750.01 through 800.00	34.00
800.01 through 850.00	36.00
850.01 through 900.00	38.00
900.01 through 950.00	40.00
950.01 through 1,000.00	42.00
1,000.01 through 1,050.00	44.00
1,050.01 through 1,100.00	46.00
1,100.01 through 1,150.00	48.00
1,150.01 through 1,200.00	50.00
1,200.01 through 1,250.00	52.00
1,250.01 through 1,300.00	54.00
1,300.01 through 1,350.00	56.00
1,350.01 through 1,400.00	58.00
1,400.01 through 1,450.00	60.00
1,450.01 through 1,500.00	62.00
1,500.01 through 1,550.00	64.00
1,550.01 through 1,600.00	66.00
1,600.01 through 1,650.00	68.00
1,650.01 through 1,700.00	70.00
1,700.01 through 1,750.00	72.00
1,750.01 through 1,800.00	74.00
1,800.01 through 1,850.00	76.00
1,850.01 through 1,900.00	78.00
1,900.01 through 1,950.00	80.00
1,950.01 through 2,000.00	82.00
2,000.01 through 2,050.00	84.00
2,050.01 through 2,100.00	86.00
2,100.01 through 2,150.00	88.00
2,150.01 through 2,200.00	90.00
2,200.01 through 2,250.00	92.00
2,250.01 through 2,300.00	94.00
2,300.01 through 2,350.00	96.00
2,350.01 through 2,400.00	98.00
2,400.01 through 2,450.00	100.00
2,450.01 through 2,500.00	102.00
2,500.01 through 2,550.00	104.00

2,550.01 through 2,600.00	106.00
2,600.01 through 2,650.00	108.00
2,650.01 through 2,700.00	110.00
2,700.01 through 2,750.00	112.00
2,750.01 through 2,800.00	114.00
2,800.01 through 2,850.00	116.00
2,850.01 through 2,900.00	118.00
2,900.01 through 2,950.00	120.00
2,950.01 through 3,000.00	122.00
3,000.01 through 3,050.00	124.00
3,050.01 through 3,100.00	126.00
3,100.01 through 3,150.00	128.00
3,150.01 through 3,200.00	130.00
3,200.01 through 3,250.00	132.00
3,250.01 through 3,300.00	134.00
3,300.01 through 3,350.00	136.00
3,350.01 through 3,400.00	138.00
3,400.01 through 3,450.00	140.00
3,450.01 through 3,500.00	142.00
3,500.01 through 3,550.00	144.00
3,550.01 through 3,600.00	146.00
3,600.01 through 3,650.00	148.00
3,650.01 through 3,700.00	150.00
3,700.01 through 3,750.00	152.00
3,750.01 and over	154.00

(3) For any benefit year beginning on or after July 1, 1994, through December 31, 1994, an individual's weekly benefit amount shall be in the amount appearing in Column B in the table in this subsection on the line on which, in Column A of such table, there appear the total wages paid to such individual for insured work in that quarter, of his or her base period, in which such total wages were highest.

UNEMPLOYMENT BENEFIT TABLE

Column A Wages Paid in Highest Quarter Of Base Period	Column B Weekly Benefit Amount
\$ 400.01 through \$ 450.00	\$ 20.00
450.01 through 500.00	22.00
500.01 through 550.00	24.00
550.01 through 600.00	26.00
600.01 through 650.00	28.00
650.01 through 700.00	30.00
700.01 through 750.00	32.00
750.01 through 800.00	34.00
800.01 through 850.00	36.00
850.01 through 900.00	38.00
900.01 through 950.00	40.00
950.01 through 1,000.00	42.00
1,000.01 through 1,050.00	44.00
1,050.01 through 1,100.00	46.00
1,100.01 through 1,150.00	48.00
1,150.01 through 1,200.00	50.00
1,200.01 through 1,250.00	52.00
1,250.01 through 1,300.00	54.00
1,300.01 through 1,350.00	56.00
1,350.01 through 1,400.00	58.00
1,400.01 through 1,450.00	60.00
1,450.01 through 1,500.00	62.00
1,500.01 through 1,550.00	64.00
1,550.01 through 1,600.00	66.00
1,600.01 through 1,650.00	68.00
1,650.01 through 1,700.00	70.00
1,700.01 through 1,750.00	72.00
1,750.01 through 1,800.00	74.00
1,800.01 through 1,850.00	76.00
1,850.01 through 1,900.00	78.00
1,900.01 through 1,950.00	80.00
1,950.01 through 2,000.00	82.00
2,000.01 through 2,050.00	84.00
2,050.01 through 2,100.00	86.00
2,100.01 through 2,150.00	88.00
2,150.01 through 2,200.00	90.00

2,200.01 through 2,250.00	92.00
2,250.01 through 2,300.00	94.00
2,300.01 through 2,350.00	96.00
2,350.01 through 2,400.00	98.00
2,400.01 through 2,450.00	100.00
2,450.01 through 2,500.00	102.00
2,500.01 through 2,550.00	104.00
2,550.01 through 2,600.00	106.00
2,600.01 through 2,650.00	108.00
2,650.01 through 2,700.00	110.00
2,700.01 through 2,750.00	112.00
2,750.01 through 2,800.00	114.00
2,800.01 through 2,850.00	116.00
2,850.01 through 2,900.00	118.00
2,900.01 through 2,950.00	120.00
2,950.01 through 3,000.00	122.00
3,000.01 through 3,050.00	124.00
3,050.01 through 3,100.00	126.00
3,100.01 through 3,150.00	128.00
3,150.01 through 3,200.00	130.00
3,200.01 through 3,250.00	132.00
3,250.01 through 3,300.00	134.00
3,300.01 through 3,350.00	136.00
3,350.01 through 3,400.00	138.00
3,400.01 through 3,450.00	140.00
3,450.01 through 3,500.00	142.00
3,500.01 through 3,550.00	144.00
3,550.01 through 3,600.00	146.00
3,600.01 through 3,650.00	148.00
3,650.01 through 3,700.00	150.00
3,700.01 through 3,750.00	152.00
3,750.01 through 3,800.00	154.00
3,800.01 through 3,850.00	156.00
3,850.01 through 3,900.00	158.00
3,900.01 through 3,950.00	160.00
3,950.01 through 4,000.00	162.00
4,000.01 through 4,050.00	164.00
4,050.01 through 4,100.00	166.00
4,100.01 through 4,150.00	168.00
4,150.01 and over	170.00

(*) (1) For any benefit year beginning on or after January 1, 1995, through December 31, 1998, an individual's weekly benefit amount shall be the amount appearing in Column B in the table in this subsection on the line on which, in Column A of such table, there appear the total wages paid to such individual for insured work, in that quarter, of his or her base period, in which such total wages were highest.

UNEMPLOYMENT BENEFIT TABLE

Column A Wages Paid in Highest Quarter Of Base Period	Column B Weekly Benefit Amount
\$ 400.01 through \$ 450.00	\$ 20.00
450.01 through 500.00	22.00
500.01 through 550.00	24.00
550.01 through 600.00	26.00
600.01 through 650.00	28.00
650.01 through 700.00	30.00
700.01 through 750.00	32.00
750.01 through 800.00	34.00
800.01 through 850.00	36.00
850.01 through 900.00	38.00
900.01 through 950.00	40.00
950.01 through 1,000.00	42.00
1,000.01 through 1,050.00	44.00
1,050.01 through 1,100.00	46.00
1,100.01 through 1,150.00	48.00
1,150.01 through 1,200.00	50.00
1,200.01 through 1,250.00	52.00
1,250.01 through 1,300.00	54.00
1,300.01 through 1,350.00	56.00
1,350.01 through 1,400.00	58.00
1,400.01 through 1,450.00	60.00

1,450.01 through 1,500.00	62.00
1,500.01 through 1,550.00	64.00
1,550.01 through 1,600.00	66.00
1,600.01 through 1,650.00	68.00
1,650.01 through 1,700.00	70.00
1,700.01 through 1,750.00	72.00
1,750.01 through 1,800.00	74.00
1,800.01 through 1,850.00	76.00
1,850.01 through 1,900.00	78.00
1,900.01 through 1,950.00	80.00
1,950.01 through 2,000.00	82.00
2,000.01 through 2,050.00	84.00
2,050.01 through 2,100.00	86.00
2,100.01 through 2,150.00	88.00
2,150.01 through 2,200.00	90.00
2,200.01 through 2,250.00	92.00
2,250.01 through 2,300.00	94.00
2,300.01 through 2,350.00	96.00
2,350.01 through 2,400.00	98.00
2,400.01 through 2,450.00	100.00
2,450.01 through 2,500.00	102.00
2,500.01 through 2,550.00	104.00
2,550.01 through 2,600.00	106.00
2,600.01 through 2,650.00	108.00
2,650.01 through 2,700.00	110.00
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2,750.01 through 2,800.00	114.00
2,800.01 through 2,850.00	116.00
2,850.01 through 2,900.00	118.00
2,900.01 through 2,950.00	120.00
2,950.01 through 3,000.00	122.00
3,000.01 through 3,050.00	124.00
3,050.01 through 3,100.00	126.00
3,100.01 through 3,150.00	128.00
3,150.01 through 3,200.00	130.00
3,200.01 through 3,250.00	132.00
3,250.01 through 3,300.00	134.00
3,300.01 through 3,350.00	136.00
3,350.01 through 3,400.00	138.00
3,400.01 through 3,450.00	140.00
3,450.01 through 3,500.00	142.00
3,500.01 through 3,550.00	144.00
3,550.01 through 3,600.00	146.00
3,600.01 through 3,650.00	148.00
3,650.01 through 3,700.00	150.00
3,700.01 through 3,750.00	152.00
3,750.01 through 3,800.00	154.00
3,800.01 through 3,850.00	156.00
3,850.01 through 3,900.00	158.00
3,900.01 through 3,950.00	160.00
3,950.01 through 4,000.00	162.00
4,000.01 through 4,050.00	164.00
4,050.01 through 4,100.00	166.00
4,100.01 through 4,150.00	168.00
4,150.01 through 4,200.00	170.00
4,200.01 through 4,250.00	172.00
4,250.01 through 4,300.00	174.00
4,300.01 through 4,350.00	176.00
4,350.01 through 4,400.00	178.00
4,400.01 through 4,450.00	180.00
4,450.01 through 4,500.00	182.00
4,500.01 and over	184.00

(2) For any benefit year beginning on or after January 1, 1999, through December 31, 1999, an individual's weekly benefit amount shall be in the amount appearing in Column B in the table in this subsection on the line on which, in Column A of such table, there appear the total wages paid to such individual for insured work, in that quarter, of his or her base period, in which such total wages were highest.

UNEMPLOYMENT BENEFIT TABLE

Column A	Column B
Wages Paid in	Weekly
Highest Quarter	Benefit

Of Base Period	Amount
\$ 800.00 through \$ 850.00	\$ 36.00
850.01 through 900.00	38.00
900.01 through 950.00	40.00
950.01 through 1,000.00	42.00
1,000.01 through 1,050.00	44.00
1,050.01 through 1,100.00	46.00
1,100.01 through 1,150.00	48.00
1,150.01 through 1,200.00	50.00
1,200.01 through 1,250.00	52.00
1,250.01 through 1,300.00	54.00
1,300.01 through 1,350.00	56.00
1,350.01 through 1,400.00	58.00
1,400.01 through 1,450.00	60.00
1,450.01 through 1,500.00	62.00
1,500.01 through 1,550.00	64.00
1,550.01 through 1,600.00	66.00
1,600.01 through 1,650.00	68.00
1,650.01 through 1,700.00	70.00
1,700.01 through 1,750.00	72.00
1,750.01 through 1,800.00	74.00
1,800.01 through 1,850.00	76.00
1,850.01 through 1,900.00	78.00
1,900.01 through 1,950.00	80.00
1,950.01 through 2,000.00	82.00
2,000.01 through 2,050.00	84.00
2,050.01 through 2,100.00	86.00
2,100.01 through 2,150.00	88.00
2,150.01 through 2,200.00	90.00
2,200.01 through 2,250.00	92.00
2,250.01 through 2,300.00	94.00
2,300.01 through 2,350.00	96.00
2,350.01 through 2,400.00	98.00
2,400.01 through 2,450.00	100.00
2,450.01 through 2,500.00	102.00
2,500.01 through 2,550.00	104.00
2,550.01 through 2,600.00	106.00
2,600.01 through 2,650.00	108.00
2,650.01 through 2,700.00	110.00
2,700.01 through 2,750.00	112.00
2,750.01 through 2,800.00	114.00
2,800.01 through 2,850.00	116.00
2,850.01 through 2,900.00	118.00
2,900.01 through 2,950.00	120.00
2,950.01 through 3,000.00	122.00
3,000.01 through 3,050.00	124.00
3,050.01 through 3,100.00	126.00
3,100.01 through 3,150.00	128.00
3,150.01 through 3,200.00	130.00
3,200.01 through 3,250.00	132.00
3,250.01 through 3,300.00	134.00
3,300.01 through 3,350.00	136.00
3,350.01 through 3,400.00	138.00
3,400.01 through 3,450.00	140.00
3,450.01 through 3,500.00	142.00
3,500.01 through 3,550.00	144.00
3,550.01 through 3,600.00	146.00
3,600.01 through 3,650.00	148.00
3,650.01 through 3,700.00	150.00
3,700.01 through 3,750.00	152.00
3,750.01 through 3,800.00	154.00
3,800.01 through 3,850.00	156.00
3,850.01 through 3,900.00	158.00
3,900.01 through 3,950.00	160.00
3,950.01 through 4,000.00	162.00
4,000.01 through 4,050.00	164.00
4,050.01 through 4,100.00	166.00
4,100.01 through 4,150.00	168.00
4,150.01 through 4,200.00	170.00
4,200.01 through 4,250.00	172.00
4,250.01 through 4,300.00	174.00
4,300.01 through 4,350.00	176.00

4,350.01 through 4,400.00	178.00
4,400.01 through 4,450.00	180.00
4,450.01 through 4,500.00	182.00
4,500.01 through 4,550.00	184.00
4,550.01 through 4,600.00	186.00
4,600.01 through 4,650.00	188.00
4,650.01 through 4,700.00	190.00
4,700.01 through 4,750.00	192.00
4,750.01 through 4,800.00	194.00
4,800.01 through 4,850.00	196.00
4,850.01 through 4,900.00	198.00
4,900.01 through 4,950.00	200.00
4,950.01 through 5,000.00	202.00
5,000.01 through 5,050.00	204.00
5,050.01 and over	206.00

(3) For any benefit year beginning on or after January 1, 2000, through December 31, 2000, an individual's weekly benefit amount shall be in the amount appearing in Column B in the table in this subsection on the line on which, in Column A of such table, there appear the total wages paid to such individual for insured work, in that quarter, of his or her base period, in which such total wages were highest.

UNEMPLOYMENT BENEFIT TABLE

Column A Wages Paid in Highest Quarter Of Base Period	Column B Weekly Benefit Amount
\$ 800.00 through \$ 850.00	\$ 36.00
850.01 through 900.00	38.00
900.01 through 950.00	40.00
950.01 through 1,000.00	42.00
1,000.01 through 1,050.00	44.00
1,050.01 through 1,100.00	46.00
1,100.01 through 1,150.00	48.00
1,150.01 through 1,200.00	50.00
1,200.01 through 1,250.00	52.00
1,250.01 through 1,300.00	54.00
1,300.01 through 1,350.00	56.00
1,350.01 through 1,400.00	58.00
1,400.01 through 1,450.00	60.00
1,450.01 through 1,500.00	62.00
1,500.01 through 1,550.00	64.00
1,550.01 through 1,600.00	66.00
1,600.01 through 1,650.00	68.00
1,650.01 through 1,700.00	70.00
1,700.01 through 1,750.00	72.00
1,750.01 through 1,800.00	74.00
1,800.01 through 1,850.00	76.00
1,850.01 through 1,900.00	78.00
1,900.01 through 1,950.00	80.00
1,950.01 through 2,000.00	82.00
2,000.01 through 2,050.00	84.00
2,050.01 through 2,100.00	86.00
2,100.01 through 2,150.00	88.00
2,150.01 through 2,200.00	90.00
2,200.01 through 2,250.00	92.00
2,250.01 through 2,300.00	94.00
2,300.01 through 2,350.00	96.00
2,350.01 through 2,400.00	98.00
2,400.01 through 2,450.00	100.00
2,450.01 through 2,500.00	102.00
2,500.01 through 2,550.00	104.00
2,550.01 through 2,600.00	106.00
2,600.01 through 2,650.00	108.00
2,650.01 through 2,700.00	110.00
2,700.01 through 2,750.00	112.00
2,750.01 through 2,800.00	114.00
2,800.01 through 2,850.00	116.00
2,850.01 through 2,900.00	118.00
2,900.01 through 2,950.00	120.00
2,950.01 through 3,000.00	122.00
3,000.01 through 3,050.00	124.00
3,050.01 through 3,100.00	126.00

3,100.01 through 3,150.00	128.00
3,150.01 through 3,200.00	130.00
3,200.01 through 3,250.00	132.00
3,250.01 through 3,300.00	134.00
3,300.01 through 3,350.00	136.00
3,350.01 through 3,400.00	138.00
3,400.01 through 3,450.00	140.00
3,450.01 through 3,500.00	142.00
3,500.01 through 3,550.00	144.00
3,550.01 through 3,600.00	146.00
3,600.01 through 3,650.00	148.00
3,650.01 through 3,700.00	150.00
3,700.01 through 3,750.00	152.00
3,750.01 through 3,800.00	154.00
3,800.01 through 3,850.00	156.00
3,850.01 through 3,900.00	158.00
3,900.01 through 3,950.00	160.00
3,950.01 through 4,000.00	162.00
4,000.01 through 4,050.00	164.00
4,050.01 through 4,100.00	166.00
4,100.01 through 4,150.00	168.00
4,150.01 through 4,200.00	170.00
4,200.01 through 4,250.00	172.00
4,250.01 through 4,300.00	174.00
4,300.01 through 4,350.00	176.00
4,350.01 through 4,400.00	178.00
4,400.01 through 4,450.00	180.00
4,450.01 through 4,500.00	182.00
4,500.01 through 4,550.00	184.00
4,550.01 through 4,600.00	186.00
4,600.01 through 4,650.00	188.00
4,650.01 through 4,700.00	190.00
4,700.01 through 4,750.00	192.00
4,750.01 through 4,800.00	194.00
4,800.01 through 4,850.00	196.00
4,850.01 through 4,900.00	198.00
4,900.01 through 4,950.00	200.00
4,950.01 through 5,000.00	202.00
5,000.01 through 5,050.00	204.00
5,050.01 through 5,100.00	206.00
5,100.01 through 5,150.00	208.00
5,150.01 through 5,200.00	210.00
5,200.01 through 5,250.00	212.00
5,250.01 and over	214.00

(4) For any benefit year beginning on or after January 1, 2001, an individual's weekly benefit amount shall be one-half his or her average weekly wage rounded down to the nearest even whole dollar amount. For purposes of this subsection, an individual's average weekly wage shall equal the wages paid for insured work in the highest quarter of the base period divided by thirteen. An individual's weekly benefit amount shall not exceed one-half of the state average weekly wage as annually determined under section 48-121.02.

Sec. 2. Section 48-627, Revised Statutes Supplement, 1996, is amended to read:

48-627. An unemployed individual shall be eligible to receive benefits with respect to any week, only if the Commissioner of Labor finds:

(1) He or she has registered for work at, and thereafter continued to report at, an employment office in accordance with such rules and regulations as the commissioner may prescribe, except that the commissioner may, by rule and regulation, waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations, with respect to which he or she finds that compliance with such requirements, would be oppressive, or would be inconsistent with the purposes of the Employment Security Law, except that no such rule or regulation shall conflict with section 48-623;

(2) He or she has made a claim for benefits, in accordance with section 48-629;

(3) He or she is able to work and is available for work. No individual, who is otherwise eligible, shall be deemed ineligible, or unavailable for work, because he or she is on vacation without pay during such week, if such vacation is not the result of his or her own action as distinguished from any collective action by a collective-bargaining agent or other action beyond his or her individual control, and regardless of whether

he or she has not been notified of the vacation at the time of his or her hiring. Receipt of a non-service-connected total disability pension by a veteran at the age of sixty-five or more shall not of itself bar the veteran from benefits as not able to work. An otherwise eligible individual while engaged in a training course approved for him or her by the commissioner shall be considered available for work for the purposes of this section;

(4) He or she has been unemployed for a waiting period of one week. No week shall be counted as a week of unemployment for the purpose of this subdivision (a) unless it occurs within the benefit year, which includes the week with respect to which he or she claims payment of benefits, (b) if benefits have been paid with respect thereto, or (c) unless the individual was eligible for benefits with respect thereto, as provided in sections 48-627 and 48-628, except for the requirements of this subdivision and of subdivision (6) of section 48-628;

(5) For any benefit year beginning on or before December 31, 1998, he or she has, within his or her base period, been paid a total sum of wages for employment by employers equal to not less than one thousand two hundred dollars, of which sum at least four hundred dollars has been paid in each of two quarters in his or her base period, and for any benefit year beginning on or after January 1, 1999, he or she has, within his or her base period, been paid a total sum of wages for employment by employers equal to not less than one thousand six hundred dollars, of which sum at least eight hundred dollars has been paid in each of two quarters in his or her base period, and subsequent to filing the claim which establishes the previous benefit year, the individual has insured work in at least four weeks. For the purposes of this subdivision, (a) wages shall be counted as wages for insured work for benefit purposes with respect to any benefit year only if such benefit year begins subsequent to the date on which the employer, by whom such wages were paid, has satisfied the conditions of section 48-603 or subsection (3) of section 48-661, with respect to becoming an employer, and (b) with respect to weeks of unemployment beginning on or after January 1, 1978, wages for insured work for benefit purposes with respect to any benefit year shall include wages paid for services as defined by subdivision (4)(a), (b), (c), or (d) of section 48-604 to the extent that such services were not services in employment under subdivision (4)(a) of section 48-604 or section 48-661 immediately prior to September 2, 1977, even though the employer by whom such wages were paid had not satisfied the conditions of subdivision (8), (9), (10), or (11) of section 48-603 with respect to becoming an employer at the time such wages were paid except to the extent that assistance under Title II of the federal Emergency Jobs and Unemployment Assistance Act of 1974 was paid on the basis of such services; and

(6) He or she is participating in reemployment services at no cost to such individual as directed by the commissioner, such as job search assistance services, if the individual has been determined to be likely to exhaust regular benefits and to need reemployment services pursuant to a profiling system established by rule and regulation of the commissioner which is in compliance with section 303(j)(1) of the federal Social Security Act, unless the commissioner determines that: (a) The individual has completed such services; or (b) there is justifiable cause for the claimant's failure to participate in such services.

Sec. 3. Section 48-628, Revised Statutes Supplement, 1996, is amended to read:

48-628. An individual shall be disqualified for benefits:

(1)(a) For the week in which he or she has left work voluntarily without good cause, if so found by the commissioner, and for not less than seven weeks nor more than ten weeks which immediately follow such week, as determined by the commissioner according to the circumstances in each case. A temporary employee of a temporary help firm has left work voluntarily without good cause if the temporary employee does not contact the temporary help firm for reassignment upon completion of an assignment and the temporary employee has been advised by the temporary help firm of his or her obligation to contact the temporary help firm upon completion of assignments and has been advised by the temporary help firm that the temporary employee may be denied benefits for failure to do so, or (b) for the week in which he or she has left work voluntarily for the sole purpose of accepting previously secured, permanent, full-time, insured work, which he or she does accept, which offers a reasonable expectation of betterment of wages or working conditions, or both, and for which he or she earns wages payable to him or her, if so found by the commissioner, and for not more than one week which immediately follows such week;

(2) For the week in which he or she has been discharged for misconduct connected with his or her work, if so found by the commissioner.

and for not less than seven weeks nor more than ten weeks which immediately follow such week, as determined by the commissioner in each case according to the seriousness of the misconduct. If the commissioner finds that such individual's misconduct was gross, flagrant, and willful, or was unlawful, the commissioner shall totally disqualify such individual from receiving benefits with respect to wage credits earned prior to discharge for such misconduct. In addition to the seven-week to ten-week benefit disqualification assessed under this subdivision, the commissioner shall cancel all wage credits earned as a result of employment with the discharging employer if the commissioner finds that the individual was discharged for misconduct in connection with the work which was not gross, flagrant, and willful or unlawful but which included being under the influence of any intoxicating beverage or being under the influence of any controlled substance listed in section 28-405 not prescribed by a physician licensed to practice medicine or surgery when the individual is so under the influence on the worksite or while engaged in work for the employer;

(3) (a) For any week of unemployment in which he or she has failed, without good cause, to apply for available, suitable work when so directed by the employment office or the commissioner, to accept suitable work offered him or her, or to return to his or her customary self-employment, if any, and the commissioner so finds, and for not less than seven weeks nor more than ten weeks which immediately follow such week, as determined by the commissioner, and his or her total benefit amount to which he or she is then entitled shall be reduced by an amount equal to the number of weeks for which he or she has been disqualified by the commissioner.

(b) In determining whether or not any work is suitable for an individual, the commissioner shall consider the degree of risk involved to the individual's health, safety, and morals, his or her physical fitness and prior training, his or her experience and prior earnings, his or her length of unemployment and prospects for securing local work in his or her customary occupation, and the distance of the available work from his or her residence.

(c) Notwithstanding any other provisions of the Employment Security Law, no work shall be deemed suitable and benefits shall not be denied under such law to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (i) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (ii) if the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; or (iii) if, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

(d) Notwithstanding any other provisions in subdivision (3) of this section, no otherwise eligible individual shall be denied benefits with respect to any week in which he or she is in training with the approval of the commissioner, by reason of the application of the provisions in subdivision (3) of this section relating to failure to apply for or a refusal to accept suitable work;

(4) For any week with respect to which the commissioner finds that his or her total unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he or she is or was last employed, except that this subdivision shall not apply if it is shown to the satisfaction of the commissioner that (a) the individual is not participating in, financing, or directly interested in the labor dispute which caused the stoppage of work and (b) he or she does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating, financing, or directly interested in the dispute. 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 shall, for the purposes of this subdivision, be deemed to be a separate factory, establishment, or other premises;

(5) For any week with respect to which he or she is receiving or has received remuneration in the form of (a) wages in lieu of notice, or a dismissal or separation allowance, (b) compensation for temporary ~~partial~~ disability under the workers' compensation law of any state or under a similar law of the United States, (c) primary insurance benefits under Title II of the Social Security Act, as amended, or similar payments under any act of Congress, (d) retirement or retired pay, pension, annuity, or other similar periodic payment under a plan maintained or contributed to by a base period or chargeable employer, or (e) a gratuity or bonus from an employer, paid after termination of employment, on account of prior length of service, or

disability not compensated under the workers' compensation law. Such payments made in lump sums shall be prorated in an amount which is reasonably attributable to such week. If the prorated remuneration is less than the benefits which would otherwise be due, he or she shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration. The prorated remuneration shall be considered wages for the quarter to which it is attributable. Military service-connected disability compensation payable under 38 U.S.C. chapter 11 shall not be deemed to be disqualifying or deductible from the benefit amount. No deduction shall be made for the part of any retirement pension which represents return of payments made by the individual. In the case of a transfer by an individual or his or her employer of an amount from one retirement plan to a second qualified retirement plan under the Internal Revenue Code, the amount transferred shall not be deemed to be received by the claimant until actually paid from the second retirement plan to the claimant;

(6) For any week with respect to which or a part of which he or she has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States, except that if the appropriate agency of such other state or of the United States finally determines that he or she is not entitled to such unemployment benefits, this disqualification shall not apply;

(7) For any week of unemployment if such individual is a student. For the purpose of this subdivision, student shall mean an individual registered for full attendance at and regularly attending an established school, college, or university, unless the major portion of his or her wages for insured work during his or her base period was for services performed while attending school, except that attendance for training purposes under a plan approved by the commissioner for such individual shall not be disqualifying;

(8) For any week of unemployment if benefits claimed are based on services performed:

(a) In an instructional, research, or principal administrative capacity for an educational institution, if such week commences during the period between two successive academic years or terms, or when an agreement provides instead for a similar period between two regular, but not successive, terms during such period, if such individual performs such services in the first of such academic years or terms and if there is a contract or reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms;

(b) In any other capacity for an educational institution, if such week commences during a period between two successive academic years or terms, if such individual performs such services in the first of such academic years or terms, and if there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms, except that if benefits are denied to any individual for any week under subdivision (8)(b) of this section and such individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of the benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of subdivision (8)(b) of this section;

(c) In any capacity described in subdivision (8)(a) or (b) of this section if such week commences during an established and customary vacation period or holiday recess if such individual performs such services in the period immediately before such vacation period or holiday recess, and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess;

(d) In any capacity described in subdivision (8)(a) or (b) of this section in an educational institution while in the employ of an educational service agency, and such individual shall be disqualified as specified in subdivisions (8)(a), (b), and (c) of this section. As used in this subdivision, educational service agency shall mean a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing services to one or more educational institutions; and

(e) In any capacity described in subdivision (8)(a) or (b) of this section in an educational institution if such services are provided to or on behalf of the educational institution while in the employ of an organization or entity described in section 3306(c)(7) or 3306(c)(8) of the Federal Unemployment Tax Act, and such individual shall be disqualified as specified in subdivisions (8)(a), (b), and (c) of this section;

(9) For any week of unemployment benefits if substantially all the services upon which such benefits are based consist of participating in sports

or athletic events or training or preparing to so participate, if such week of unemployment begins during the period between two successive sport seasons or similar periods, if such individual performed such services in the first of such seasons or similar periods, and if there is a reasonable assurance that such individual will perform such services in the later of such seasons or similar periods;

(10) For any week of unemployment benefits if the services upon which such benefits are based are performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of section 212(d)(5) of the Immigration and Nationality Act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of his or her alien status shall be made except upon a preponderance of the evidence;

(11) Notwithstanding any other provisions of the Employment Security Law, no otherwise eligible individual shall be denied benefits for any week because he or she is in training approved under section 236(a)(1) of the federal Trade Act of 1974, nor shall such individual be denied benefits by reason of leaving work to enter such training, if the work left is not suitable employment, or because of the application to any such week in training of provisions of the Employment Security Law, or any applicable federal unemployment compensation law, relating to availability for work, active search for work, or refusal to accept work. For purposes of this subdivision, suitable employment shall mean, with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal Trade Act of 1974, and wages for such work at not less than eighty percent of the individual's average weekly wage as determined for purposes of the federal Trade Act of 1974; and

(12) For any week during which the individual is on a leave of absence.

Sec. 4. Section 48-669, Revised Statutes Supplement, 1996, is amended to read:

48-669. (1) With respect to any claimant for whom there is current a benefit year, which has not expired prior to the effective date of any change in the weekly benefit amounts prescribed in section 48-624 or the maximum annual benefit amount prescribed in section 48-626, the weekly benefit amount and the maximum annual benefit amount shall be those amounts determined prior to the effective date of such change.

(2) After December 31, 1995, any changes in the weekly benefit amounts prescribed in section 48-624 or in the maximum annual benefit amount prescribed in section 48-626 ~~enacted by the legislature~~ shall become effective on January 1 of the year following such legislative enactment.

(3) After December 31, 2000, any change in the weekly benefit amounts prescribed in subsection (4) of section 48-624 or any change in the maximum annual benefit amount prescribed in section 48-626 shall be applicable for the calendar year following the annual determination made pursuant to section 48-121.02.

Sec. 5. Original sections 48-624, 48-627, 48-628, and 48-669, Revised Statutes Supplement, 1996, are repealed.