

As Introduced

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Representatives Cera, Sweeney

**Cosponsors: Representatives Brent, Denson, Brown, Galonski, Smith, K.,
Miranda, Strahorn, Skindell, Crossman, O'Brien**

A BILL

To amend section 4141.29 and to enact section 1
4141.294 of the Revised Code to allow an 2
individual to be eligible for unemployment 3
compensation benefits for unemployment due to 4
domestic violence. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4141.29 be amended and section 6
4141.294 of the Revised Code be enacted to read as follows: 7

Sec. 4141.29. Each eligible individual shall receive 8
benefits as compensation for loss of remuneration due to 9
involuntary total or partial unemployment in the amounts and 10
subject to the conditions stipulated in this chapter. 11

(A) No individual is entitled to a waiting period or 12
benefits for any week unless the individual: 13

(1) Has filed a valid application for determination of 14
benefit rights in accordance with section 4141.28 of the Revised 15
Code; 16

(2) Has made a claim for benefits in accordance with 17
section 4141.28 of the Revised Code; 18

(3) (a) Has registered for work and thereafter continues to 19
report to an employment office or other registration place 20
maintained or designated by the director of job and family 21
services. Registration shall be made in accordance with the time 22
limits, frequency, and manner prescribed by the director. 23

(b) For purposes of division (A) (3) of this section, an 24
individual has "registered" upon doing any of the following: 25

(i) Filing an application for benefit rights; 26

(ii) Making a weekly claim for benefits; 27

(iii) Reopening an existing claim following a period of 28
employment or nonreporting. 29

(c) After an applicant is registered, that registration 30
continues for a period of three calendar weeks, including the 31
week during which the applicant registered. However, an 32
individual is not registered for purposes of division (A) (3) of 33
this section during any period in which the individual fails to 34
report, as instructed by the director, or fails to reopen an 35
existing claim following a period of employment. 36

(d) The director may, for good cause, extend the period of 37
registration. 38

(e) For purposes of this section, "report" means contact 39
by phone, access electronically, or be present for an in-person 40
appointment, as designated by the director. 41

(4) (a) (i) Is able to work and available for suitable work 42
and, except as provided in division (A) (4) (a) (ii) or (iii) of 43
this section, is actively seeking suitable work either in a 44

locality in which the individual has earned wages subject to 45
this chapter during the individual's base period, or if the 46
individual leaves that locality, then in a locality where 47
suitable work normally is performed. 48

(ii) The director may waive the requirement that a 49
claimant be actively seeking work when the director finds that 50
the individual has been laid off and the employer who laid the 51
individual off has notified the director within ten days after 52
the layoff, that work is expected to be available for the 53
individual within a specified number of days not to exceed 54
forty-five calendar days following the last day the individual 55
worked. In the event the individual is not recalled within the 56
specified period, this waiver shall cease to be operative with 57
respect to that layoff. 58

(iii) The director may waive the requirement that a 59
claimant be actively seeking work if the director determines 60
that the individual has been laid off and the employer who laid 61
the individual off has notified the director in accordance with 62
division (C) of section 4141.28 of the Revised Code that the 63
employer has closed the employer's entire plant or part of the 64
employer's plant for a purpose other than inventory or vacation 65
that will cause unemployment for a definite period not exceeding 66
twenty-six weeks beginning on the date the employer notifies the 67
director, for the period of the specific shutdown, if all of the 68
following apply: 69

(I) The employer and the individuals affected by the 70
layoff who are claiming benefits under this chapter jointly 71
request the exemption. 72

(II) The employer provides that the affected individuals 73
shall return to work for the employer within twenty-six weeks 74

after the date the employer notifies the director. 75

(III) The director determines that the waiver of the 76
active search for work requirement will promote productivity and 77
economic stability within the state. 78

(iv) Division (A) (4) (a) (iii) of this section does not 79
exempt an individual from meeting the other requirements 80
specified in division (A) (4) (a) (i) of this section to be able to 81
work and otherwise fully be available for work. An exemption 82
granted under division (A) (4) (a) (iii) of this section may be 83
granted only with respect to a specific plant closing. 84

(b) (i) The individual shall be instructed as to the 85
efforts that the individual must make in the search for suitable 86
work, including that, within six months after October 11, 2013, 87
the individual shall register with the OhioMeansJobs web site, 88
except in any of the following circumstances: 89

(I) The individual is an individual described in division 90
(A) (4) (b) (iii) of this section; 91

(II) Where the active search for work requirement has been 92
waived under division (A) (4) (a) of this section; 93

(III) Where the active search for work requirement is 94
considered to be met under division (A) (4) (c), (d), or (e) of 95
this section. 96

(ii) An individual who is registered with the 97
OhioMeansJobs web site shall receive a weekly listing of 98
available jobs based on information provided by the individual 99
at the time of registration. For each week that the individual 100
claims benefits, the individual shall keep a record of the 101
individual's work search efforts and shall produce that record 102
in the manner and means prescribed by the director. 103

(iii) No individual shall be required to register with the OhioMeansJobs web site if the individual is legally prohibited from using a computer, has a physical or visual impairment that makes the individual unable to use a computer, or has a limited ability to read, write, speak, or understand a language in which the OhioMeansJobs web site is available.

(iv) As used in division (A) (4) (b) of this section:

(I) "OhioMeansJobs web site" has the same meaning as in section 6301.01 of the Revised Code.

(II) "Registration" includes the creation, electronic posting, and maintenance of an active, searchable resume.

(c) An individual who is attending a training course approved by the director meets the requirement of this division, if attendance was recommended by the director and the individual is regularly attending the course and is making satisfactory progress. An individual also meets the requirements of this division if the individual is participating and advancing in a training program, as defined in division (P) of section 5709.61 of the Revised Code, and if an enterprise, defined in division (B) of section 5709.61 of the Revised Code, is paying all or part of the cost of the individual's participation in the training program with the intention of hiring the individual for employment as a new employee, as defined in division (L) of section 5709.61 of the Revised Code, for at least ninety days after the individual's completion of the training program.

(d) An individual who becomes unemployed while attending a regularly established school and whose base period qualifying weeks were earned in whole or in part while attending that school, meets the availability and active search for work

requirements of division (A) (4) (a) of this section if the 133
individual regularly attends the school during weeks with 134
respect to which the individual claims unemployment benefits and 135
makes self available on any shift of hours for suitable 136
employment with the individual's most recent employer or any 137
other employer in the individual's base period, or for any other 138
suitable employment to which the individual is directed, under 139
this chapter. 140

(e) An individual who is a member in good standing with a 141
labor organization that refers individuals to jobs meets the 142
active search for work requirement specified in division (A) (4) 143
(a) of this section if the individual provides documentation 144
that the individual is eligible for a referral or placement upon 145
request and in a manner prescribed by the director. 146

(f) Notwithstanding any other provisions of this section, 147
no otherwise eligible individual shall be denied benefits for 148
any week because the individual is in training approved under 149
section 236(a) (1) of the "Trade Act of 1974," 88 Stat. 1978, 19 150
U.S.C.A. 2296, nor shall that individual be denied benefits by 151
reason of leaving work to enter such training, provided the work 152
left is not suitable employment, or because of the application 153
to any week in training of provisions in this chapter, or any 154
applicable federal unemployment compensation law, relating to 155
availability for work, active search for work, or refusal to 156
accept work. 157

For the purposes of division (A) (4) (f) of this section, 158
"suitable employment" means with respect to an individual, work 159
of a substantially equal or higher skill level than the 160
individual's past adversely affected employment, as defined for 161
the purposes of the "Trade Act of 1974," 88 Stat. 1978, 19 162

U.S.C.A. 2101, and wages for such work at not less than eighty 163
per cent of the individual's average weekly wage as determined 164
for the purposes of that federal act. 165

(5) Is unable to obtain suitable work. An individual who 166
is provided temporary work assignments by the individual's 167
employer under agreed terms and conditions of employment, and 168
who is required pursuant to those terms and conditions to 169
inquire with the individual's employer for available work 170
assignments upon the conclusion of each work assignment, is not 171
considered unable to obtain suitable employment if suitable work 172
assignments are available with the employer but the individual 173
fails to contact the employer to inquire about work assignments. 174

(6) Participates in reemployment services, such as job 175
search assistance services, if the individual has been 176
determined to be likely to exhaust benefits under this chapter, 177
including compensation payable pursuant to 5 U.S.C.A. Chapter 178
85, other than extended compensation, and needs reemployment 179
services pursuant to the profiling system established by the 180
director under division (K) of this section, unless the director 181
determines that: 182

(a) The individual has completed such services; or 183

(b) There is justifiable cause for the claimant's failure 184
to participate in such services. 185

Ineligibility for failure to participate in reemployment 186
services as described in division (A) (6) of this section shall 187
be for the week or weeks in which the claimant was scheduled and 188
failed to participate without justifiable cause. 189

(7) Participates in the reemployment and eligibility 190
assessment program, or other reemployment services, as required 191

by the director. As used in division (A)(7) of this section, 192
"reemployment services" includes job search assistance 193
activities, skills assessments, and the provision of labor 194
market statistics or analysis. 195

(a) For purposes of division (A)(7) of this section, 196
participation is required unless the director determines that 197
either of the following circumstances applies to the individual: 198

(i) The individual has completed similar services. 199

(ii) Justifiable cause exists for the failure of the 200
individual to participate in those services. 201

(b) Within six months after October 11, 2013, 202
notwithstanding any earlier contact an individual may have had 203
with a local OhioMeansJobs center, as defined in section 6301.01 204
of the Revised Code, beginning with the eighth week after the 205
week during which an individual first files a valid application 206
for determination of benefit rights in the individual's benefit 207
year, the individual shall report to a local OhioMeansJobs 208
center for reemployment services in the manner prescribed by the 209
director. 210

(c) An individual whose active search for work requirement 211
has been waived under division (A)(4)(a) of this section or is 212
considered to be satisfied under division (A)(4)(c), (d), or (e) 213
of this section is exempt from the requirements of division (A) 214
(7) of this section. 215

(B) An individual suffering total or partial unemployment 216
is eligible for benefits for unemployment occurring subsequent 217
to a waiting period of one week and no benefits shall be payable 218
during this required waiting period. Not more than one week of 219
waiting period shall be required of any individual in any 220

benefit year in order to establish the individual's eligibility 221
for total or partial unemployment benefits. 222

(C) The waiting period for total or partial unemployment 223
shall commence on the first day of the first week with respect 224
to which the individual first files a claim for benefits at an 225
employment office or other place of registration maintained or 226
designated by the director or on the first day of the first week 227
with respect to which the individual has otherwise filed a claim 228
for benefits in accordance with the rules of the department of 229
job and family services, provided such claim is allowed by the 230
director. 231

(D) Notwithstanding division (A) of this section, no 232
individual may serve a waiting period or be paid benefits under 233
the following conditions: 234

(1) For any week with respect to which the director finds 235
that: 236

(a) The individual's unemployment was due to a labor 237
dispute other than a lockout at any factory, establishment, or 238
other premises located in this or any other state and owned or 239
operated by the employer by which the individual is or was last 240
employed; and for so long as the individual's unemployment is 241
due to such labor dispute. No individual shall be disqualified 242
under this provision if either of the following applies: 243

(i) The individual's employment was with such employer at 244
any factory, establishment, or premises located in this state, 245
owned or operated by such employer, other than the factory, 246
establishment, or premises at which the labor dispute exists, if 247
it is shown that the individual is not financing, participating 248
in, or directly interested in such labor dispute; 249

(ii) The individual's employment was with an employer not 250
involved in the labor dispute but whose place of business was 251
located within the same premises as the employer engaged in the 252
dispute, unless the individual's employer is a wholly owned 253
subsidiary of the employer engaged in the dispute, or unless the 254
individual actively participates in or voluntarily stops work 255
because of such dispute. If it is established that the claimant 256
was laid off for an indefinite period and not recalled to work 257
prior to the dispute, or was separated by the employer prior to 258
the dispute for reasons other than the labor dispute, or that 259
the individual obtained a bona fide job with another employer 260
while the dispute was still in progress, such labor dispute 261
shall not render the employee ineligible for benefits. 262

(b) The individual has been given a disciplinary layoff 263
for misconduct in connection with the individual's work. 264

(2) For the duration of the individual's unemployment if 265
the director finds that: 266

(a) The individual quit work without just cause or has 267
been discharged for just cause in connection with the 268
individual's work, provided division (D)(2) of this section does 269
not apply to the separation of a person under any of the 270
following circumstances: 271

(i) Separation from employment for the purpose of entering 272
the armed forces of the United States if the individual is 273
inducted into the armed forces within one of the following 274
periods: 275

(I) Thirty days after separation; 276

(II) One hundred eighty days after separation if the 277
individual's date of induction is delayed solely at the 278

discretion of the armed forces. 279

(ii) Separation from employment pursuant to a labor- 280
management contract or agreement, or pursuant to an established 281
employer plan, program, or policy, which permits the employee, 282
because of lack of work, to accept a separation from employment; 283

(iii) The individual has left employment to accept a 284
recall from a prior employer or, except as provided in division 285
(D) (2) (a) (iv) of this section, to accept other employment as 286
provided under section 4141.291 of the Revised Code, or left or 287
was separated from employment that was concurrent employment at 288
the time of the most recent separation or within six weeks prior 289
to the most recent separation where the remuneration, hours, or 290
other conditions of such concurrent employment were 291
substantially less favorable than the individual's most recent 292
employment and where such employment, if offered as new work, 293
would be considered not suitable under the provisions of 294
divisions (E) and (F) of this section. Any benefits that would 295
otherwise be chargeable to the account of the employer from whom 296
an individual has left employment or was separated from 297
employment that was concurrent employment under conditions 298
described in division (D) (2) (a) (iii) of this section, shall 299
instead be charged to the mutualized account created by division 300
(B) of section 4141.25 of the Revised Code, except that any 301
benefits chargeable to the account of a reimbursing employer 302
under division (D) (2) (a) (iii) of this section shall be charged 303
to the account of the reimbursing employer and not to the 304
mutualized account, except as provided in division (D) (2) of 305
section 4141.24 of the Revised Code. 306

(iv) When an individual has been issued a definite layoff 307
date by the individual's employer and before the layoff date, 308

the individual quits to accept other employment, the provisions 309
of division (D) (2) (a) (iii) of this section apply and no 310
disqualification shall be imposed under division (D) of this 311
section. However, if the individual fails to meet the employment 312
and earnings requirements of division (A) (2) of section 4141.291 313
of the Revised Code, then the individual, pursuant to division 314
(A) (5) of this section, shall be ineligible for benefits for any 315
week of unemployment that occurs prior to the layoff date. 316

(v) The individual's spouse is a member of the armed 317
forces of the United States who is on active duty or a member of 318
the commissioned corps of the national oceanic and atmospheric 319
administration or public health service, the spouse is the 320
subject of a transfer, the individual left employment to 321
accompany the individual's spouse to a location from which it is 322
impractical to commute to the individual's place of employment, 323
and upon arrival at the new place of residence, the individual 324
is in all respects able and available for suitable work. For 325
~~purpose~~ purposes of division (D) (2) (a) (v) of this section, 326
"active duty" and "armed forces" have the same meanings as in 10 327
U.S.C. 101. 328

(b) The individual has refused without good cause to 329
accept an offer of suitable work when made by an employer either 330
in person or to the individual's last known address, or has 331
refused or failed to investigate a referral to suitable work 332
when directed to do so by a local employment office of this 333
state or another state, provided that this division shall not 334
cause a disqualification for a waiting week or benefits under 335
the following circumstances: 336

(i) When work is offered by the individual's employer and 337
the individual is not required to accept the offer pursuant to 338

the terms of the labor-management contract or agreement; or 339

(ii) When the individual is attending a training course 340
pursuant to division (A) (4) of this section except, in the event 341
of a refusal to accept an offer of suitable work or a refusal or 342
failure to investigate a referral, benefits thereafter paid to 343
such individual shall not be charged to the account of any 344
employer and, except as provided in division (B) (1) (b) of 345
section 4141.241 of the Revised Code, shall be charged to the 346
mutualized account as provided in division (B) of section 347
4141.25 of the Revised Code. 348

(c) ~~Such~~ Except as provided in section 4141.294 of the 349
Revised Code, such individual quit work to marry or because of 350
marital, parental, filial, or other domestic obligations. 351

(d) The individual became unemployed by reason of 352
commitment to any correctional institution. 353

(e) The individual became unemployed because of dishonesty 354
in connection with the individual's most recent or any base 355
period work. Remuneration earned in such work shall be excluded 356
from the individual's total base period remuneration and 357
qualifying weeks that otherwise would be credited to the 358
individual for such work in the individual's base period shall 359
not be credited for the purpose of determining the total 360
benefits to which the individual is eligible and the weekly 361
benefit amount to be paid under section 4141.30 of the Revised 362
Code. Such excluded remuneration and noncredited qualifying 363
weeks shall be excluded from the calculation of the maximum 364
amount to be charged, under division (D) of section 4141.24 and 365
section 4141.33 of the Revised Code, against the accounts of the 366
individual's base period employers. In addition, no benefits 367
shall thereafter be paid to the individual based upon such 368

excluded remuneration or noncredited qualifying weeks. 369

For purposes of division (D) (2) (e) of this section, 370
"dishonesty" means the commission of substantive theft, fraud, 371
or deceitful acts. 372

(E) No individual otherwise qualified to receive benefits 373
shall lose the right to benefits by reason of a refusal to 374
accept new work if: 375

(1) As a condition of being so employed the individual 376
would be required to join a company union, or to resign from or 377
refrain from joining any bona fide labor organization, or would 378
be denied the right to retain membership in and observe the 379
lawful rules of any such organization. 380

(2) The position offered is vacant due directly to a 381
strike, lockout, or other labor dispute. 382

(3) The work is at an unreasonable distance from the 383
individual's residence, having regard to the character of the 384
work the individual has been accustomed to do, and travel to the 385
place of work involves expenses substantially greater than that 386
required for the individual's former work, unless the expense is 387
provided for. 388

(4) The remuneration, hours, or other conditions of the 389
work offered are substantially less favorable to the individual 390
than those prevailing for similar work in the locality. 391

(F) Subject to the special exceptions contained in 392
division (A) (4) (f) of this section and section 4141.301 of the 393
Revised Code, in determining whether any work is suitable for a 394
claimant in the administration of this chapter, the director, in 395
addition to the determination required under division (E) of 396
this section, shall consider the degree of risk to the 397

claimant's health, safety, and morals, the individual's physical 398
fitness for the work, the individual's prior training and 399
experience, the length of the individual's unemployment, the 400
distance of the available work from the individual's residence, 401
and the individual's prospects for obtaining local work. 402

(G) The "duration of unemployment" as used in this section 403
means the full period of unemployment next ensuing after a 404
separation from any base period or subsequent work and until an 405
individual has become reemployed in employment subject to this 406
chapter, or the unemployment compensation act of another state, 407
or of the United States, and until such individual has worked 408
six weeks and for those weeks has earned or been paid 409
remuneration equal to six times an average weekly wage of not 410
less than: eighty-five dollars and ten cents per week beginning 411
on June 26, 1990; and beginning on and after January 1, 1992, 412
twenty-seven and one-half per cent of the statewide average 413
weekly wage as computed each first day of January under division 414
(B) (3) of section 4141.30 of the Revised Code, rounded down to 415
the nearest dollar, except for purposes of division (D) (2) (c) of 416
this section, such term means the full period of unemployment 417
next ensuing after a separation from such work and until such 418
individual has become reemployed subject to the terms set forth 419
above, and has earned wages equal to one-half of the 420
individual's average weekly wage or sixty dollars, whichever is 421
less. 422

(H) If a claimant is disqualified under division (D) (2) 423
(a), (c), or (d) of this section or found to be qualified under 424
the exceptions provided in division (D) (2) (a) (i), (iii), (iv), or 425
(v) of this section or division (A) (2) of section 4141.291 of 426
the Revised Code, then benefits that may become payable to such 427
claimant, which are chargeable to the account of the employer 428

from whom the individual was separated under such conditions, 429
shall be charged to the mutualized account provided in section 430
4141.25 of the Revised Code, provided that no charge shall be 431
made to the mutualized account for benefits chargeable to a 432
reimbursing employer, except as provided in division (D) (2) of 433
section 4141.24 of the Revised Code. In the case of a 434
reimbursing employer, the director shall refund or credit to the 435
account of the reimbursing employer any over-paid benefits that 436
are recovered under division (B) of section 4141.35 of the 437
Revised Code. Amounts chargeable to other states, the United 438
States, or Canada that are subject to agreements and 439
arrangements that are established pursuant to section 4141.43 of 440
the Revised Code shall be credited or reimbursed according to 441
the agreements and arrangements to which the chargeable amounts 442
are subject. 443

(I) (1) Benefits based on service in employment as provided 444
in divisions (B) (2) (a) and (b) of section 4141.01 of the Revised 445
Code shall be payable in the same amount, on the same terms, and 446
subject to the same conditions as benefits payable on the basis 447
of other service subject to this chapter; except that after 448
December 31, 1977: 449

(a) Benefits based on service in an instructional, 450
research, or principal administrative capacity in an institution 451
of higher education, as defined in division (Y) of section 452
4141.01 of the Revised Code; or for an educational institution 453
as defined in division (CC) of section 4141.01 of the Revised 454
Code, shall not be paid to any individual for any week of 455
unemployment that begins during the period between two 456
successive academic years or terms, or during a similar period 457
between two regular but not successive terms or during a period 458
of paid sabbatical leave provided for in the individual's 459

contract, if the individual performs such services in the first 460
of those academic years or terms and has a contract or a 461
reasonable assurance that the individual will perform services 462
in any such capacity for any such institution in the second of 463
those academic years or terms. 464

(b) Benefits based on service for an educational 465
institution or an institution of higher education in other than 466
an instructional, research, or principal administrative 467
capacity, shall not be paid to any individual for any week of 468
unemployment which begins during the period between two 469
successive academic years or terms of the employing educational 470
institution or institution of higher education, provided the 471
individual performed those services for the educational 472
institution or institution of higher education during the first 473
such academic year or term and, there is a reasonable assurance 474
that such individual will perform those services for any 475
educational institution or institution of higher education in 476
the second of such academic years or terms. 477

If compensation is denied to any individual for any week 478
under division (I)(1)(b) of this section and the individual was 479
not offered an opportunity to perform those services for an 480
institution of higher education or for an educational 481
institution for the second of such academic years or terms, the 482
individual is entitled to a retroactive payment of compensation 483
for each week for which the individual timely filed a claim for 484
compensation and for which compensation was denied solely by 485
reason of division (I)(1)(b) of this section. An application for 486
retroactive benefits shall be timely filed if received by the 487
director or the director's deputy within or prior to the end of 488
the fourth full calendar week after the end of the period for 489
which benefits were denied because of reasonable assurance of 490

employment. The provision for the payment of retroactive 491
benefits under division (I)(1)(b) of this section is applicable 492
to weeks of unemployment beginning on and after November 18, 493
1983. The provisions under division (I)(1)(b) of this section 494
shall be retroactive to September 5, 1982, only if, as a 495
condition for full tax credit against the tax imposed by the 496
"Federal Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 497
3301 to 3311, the United States secretary of labor determines 498
that retroactivity is required by federal law. 499

(c) With respect to weeks of unemployment beginning after 500
December 31, 1977, benefits shall be denied to any individual 501
for any week which commences during an established and customary 502
vacation period or holiday recess, if the individual performs 503
any services described in divisions (I)(1)(a) and (b) of this 504
section in the period immediately before the vacation period or 505
holiday recess, and there is a reasonable assurance that the 506
individual will perform any such services in the period 507
immediately following the vacation period or holiday recess. 508

(d) With respect to any services described in division (I) 509
(1)(a), (b), or (c) of this section, benefits payable on the 510
basis of services in any such capacity shall be denied as 511
specified in division (I)(1)(a), (b), or (c) of this section to 512
any individual who performs such services in an educational 513
institution or institution of higher education while in the 514
employ of an educational service agency. For this purpose, the 515
term "educational service agency" means a governmental agency or 516
governmental entity that is established and operated exclusively 517
for the purpose of providing services to one or more educational 518
institutions or one or more institutions of higher education. 519

(e) Any individual employed by a county board of 520

developmental disabilities shall be notified by the thirtieth 521
day of April each year if the individual is not to be reemployed 522
the following academic year. 523

(f) Any individual employed by a school district, other 524
than a municipal school district as defined in section 3311.71 525
of the Revised Code, shall be notified by the first day of June 526
each year if the individual is not to be reemployed the 527
following academic year. 528

(2) No disqualification will be imposed, between academic 529
years or terms or during a vacation period or holiday recess 530
under this division, unless the director or the director's 531
deputy has received a statement in writing from the educational 532
institution or institution of higher education that the claimant 533
has a contract for, or a reasonable assurance of, reemployment 534
for the ensuing academic year or term. 535

(3) If an individual has employment with an educational 536
institution or an institution of higher education and employment 537
with a noneducational employer, during the base period of the 538
individual's benefit year, then the individual may become 539
eligible for benefits during the between-term, or vacation or 540
holiday recess, disqualification period, based on employment 541
performed for the noneducational employer, provided that the 542
employment is sufficient to qualify the individual for benefit 543
rights separately from the benefit rights based on school 544
employment. The weekly benefit amount and maximum benefits 545
payable during a disqualification period shall be computed based 546
solely on the nonschool employment. 547

(J) Benefits shall not be paid on the basis of employment 548
performed by an alien, unless the alien had been lawfully 549
admitted to the United States for permanent residence at the 550

time the services were performed, was lawfully present for 551
purposes of performing the services, or was otherwise 552
permanently residing in the United States under color of law at 553
the time the services were performed, under section 212(d) (5) of 554
the "Immigration and Nationality Act," 66 Stat. 163, 8 U.S.C.A. 555
1101: 556

(1) Any data or information required of individuals 557
applying for benefits to determine whether benefits are not 558
payable to them because of their alien status shall be uniformly 559
required from all applicants for benefits. 560

(2) In the case of an individual whose application for 561
benefits would otherwise be approved, no determination that 562
benefits to the individual are not payable because of the 563
individual's alien status shall be made except upon a 564
preponderance of the evidence that the individual had not, in 565
fact, been lawfully admitted to the United States. 566

(K) The director shall establish and utilize a system of 567
profiling all new claimants under this chapter that: 568

(1) Identifies which claimants will be likely to exhaust 569
regular compensation and will need job search assistance 570
services to make a successful transition to new employment; 571

(2) Refers claimants identified pursuant to division (K) 572
(1) of this section to reemployment services, such as job search 573
assistance services, available under any state or federal law; 574

(3) Collects follow-up information relating to the 575
services received by such claimants and the employment outcomes 576
for such claimant's subsequent to receiving such services and 577
utilizes such information in making identifications pursuant to 578
division (K) (1) of this section; and 579

(4) Meets such other requirements as the United States 580
secretary of labor determines are appropriate. 581

(L) Except as otherwise provided in division (A) (6) of 582
this section, ineligibility pursuant to division (A) of this 583
section shall begin on the first day of the week in which the 584
claimant becomes ineligible for benefits and shall end on the 585
last day of the week preceding the week in which the claimant 586
satisfies the eligibility requirements. 587

(M) The director may adopt rules that the director 588
considers necessary for the administration of division (A) of 589
this section. 590

Sec. 4141.294. (A) As used in this section: 591

(1) "Domestic violence" means the occurrence of any of the 592
following acts committed by a family or household member of a 593
claimant for unemployment compensation benefits: 594

(a) Knowingly causing, or attempting to cause, physical 595
harm to the claimant; 596

(b) Recklessly causing serious physical harm to the 597
claimant; 598

(c) Knowingly causing the claimant to believe, by threat 599
of force, that the family or household member will cause 600
imminent physical harm to the claimant. 601

(2) "Family or household member" has the same meaning as 602
in division (F) of section 2919.25 of the Revised Code. 603

(B) (1) A claimant is eligible to serve a waiting week or 604
be paid unemployment compensation benefits if the director of 605
job and family services determines both of the following: 606

(a) That the claimant separated from employment because of 607
circumstances directly resulting from domestic violence; 608

(b) That the claimant provided reasonable notice to the 609
employer of the reason for separation. 610

(2) The employer shall keep confidential any notice the 611
employer receives for purposes of division (B) of this section, 612
provided that the director may require the employer to disclose 613
to the director the fact that the employer received the notice. 614

(C) (1) In determining whether a claimant has experienced 615
domestic violence for the purpose of receiving unemployment 616
compensation benefits, the director shall require the claimant 617
to provide one of the following types of documentation of the 618
domestic violence: 619

(a) A police record; 620

(b) A court record; 621

(c) An application or renewal application made in 622
connection with the address confidentiality program described in 623
section 111.42 of the Revised Code. 624

(2) The director shall keep confidential any documentation 625
the director receives under this division, unless the claimant 626
provides to the director written consent for disclosure. 627

Section 2. That existing section 4141.29 of the Revised 628
Code is hereby repealed. 629

Section 3. Section 4141.29 of the Revised Code is 630
presented in this act as a composite of the section as amended 631
by both H.B. 49 and H.B. 158 of the 132nd General Assembly. The 632
General Assembly, applying the principle stated in division (B) 633
of section 1.52 of the Revised Code that amendments are to be 634

harmonized if reasonably capable of simultaneous operation,	635
finds that the composite is the resulting version of the section	636
in effect prior to the effective date of the section as	637
presented in this act.	638