

ASSEMBLY BILL

No. 1383

Introduced by Assembly Member Fong

February 18, 2011

An act to amend Section 1252 of the Unemployment Insurance Code, relating to unemployment compensation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1383, as introduced, Fong. Unemployment insurance: compensation benefits.

Existing law governing unemployment insurance benefits provides that an individual is unemployed in any week in which he or she performs no services and receives no wages or meets any of other specified conditions.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1252 of the Unemployment Insurance
2 Code is amended to read:
3 1252. (a) An individual is “unemployed” in any week in which
4 he or she meets any of the following conditions:
5 (1) Any week during which he or she performs no services and
6 with respect to which no wages are payable to him or her.
7 (2) Any week of less than full-time work, if the wages payable
8 to him or her with respect to the week, when reduced by

1 twenty-five dollars (\$25) or 25 percent of the wages payable,
2 whichever is greater, do not equal or exceed his or her weekly
3 benefit ~~amount~~ *total*.

4 (3) Any week for which, except for the requirements of
5 subdivision (d) of Section 1253, he or she would be eligible for
6 benefits under Section 1253.5.

7 (4) Any week during which he or she ~~performs~~ *completes*
8 full-time work for five days as a juror, or as a witness under
9 subpoena.

10 (b) Authorized regulations shall be prescribed making such
11 distinctions as may be necessary in the procedures applicable to
12 unemployed individuals as to ~~total~~ *the amount of* unemployment,
13 part-total employment, partial unemployment of individuals
14 attached to their regular jobs, and other forms of short-time work.

15 (c) For the purpose of this section only “wages” includes any
16 and all compensation for personal services whether performed as
17 an employee or as an independent contractor or as a juror or as a
18 witness, but does not include any payment received by a member
19 of the National Guard or reserve component of the armed forces
20 for inactive duty training, annual training, or emergency state active
21 duty.