

HOUSE BILL NO. 179

INTRODUCED BY J. KNOX, O'NEIL, BANGERTER, SALOMON, TAYLOR, MCGILLVRAY, HOWARD, C. SMITH, JACKSON, KERNS, RANDALL, KARY, SKEES, VANCE, YATES, KENNEDY, BRODEHL, G. BENNETT, A. KNUDSEN, E. WALKER

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A CHARGE MAY NOT BE MADE TO THE ACCOUNT OF A COVERED EMPLOYER WITH RESPECT TO UNEMPLOYMENT INSURANCE BENEFITS IF THE BENEFITS ARE PAID TO A WORKER WHO WAS TERMINATED DURING A PROBATIONARY PERIOD OF EMPLOYMENT; PROVIDING FOR A MAXIMUM PROBATIONARY PERIOD OF EMPLOYMENT; AND AMENDING SECTION 39-51-1214, MCA; AND PROVIDING AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 39-51-1214, MCA, is amended to read:

"39-51-1214. Benefit payments chargeable to employer experience rating accounts. (1) Except for cost reimbursement, benefits paid must be charged to the account of each of the claimant's base period employers. The benefit charged must be based on the percentage of wages paid by the employer as compared to the total wages paid by all employers in the claimant's base period.

(2) A charge may not be made to the account of a covered employer with respect to benefits paid under the following situations:

(a) if paid to a worker who terminated services voluntarily without good cause attributable to a covered employer or who had been discharged for misconduct in connection with services;

(b) if paid to a worker who was terminated during a probationary period of employment OR WITHIN THE FIRST 30 DAYS OF THE PROBATIONARY PERIOD IF THE PROBATIONARY PERIOD IS 30 DAYS OR LONGER at the will of either the employer or the employee on notice to the other for any reason or for no reason IN THE INITIAL 30 DAYS OF EMPLOYMENT;

(b)(c) if paid in accordance with the extended benefit program triggered by either national or state indicators;

(e)(d) if the base period employer continues to provide employment with no reduction in hours or wages;

(d)(e) if benefits are paid to claimants who are in training approved under 39-51-2307;



