

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1692 Session of
2025

INTRODUCED BY GLEIM, GROVE, BERNSTINE, PICKETT, M. JONES,
KAUFFMAN, STAATS, STAMBAUGH, REICHARD, ZIMMERMAN, GREINER,
RYNCAVAGE, ANDERSON, GAYDOS, HAMM AND BASHLINE, JULY 1, 2025

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JULY 1, 2025

AN ACT

1 Amending the act of December 5, 1936 (2nd Sp.Sess., 1937
2 P.L.2897, No.1), entitled "An act establishing a system of
3 unemployment compensation to be administered by the
4 Department of Labor and Industry and its existing and newly
5 created agencies with personnel (with certain exceptions)
6 selected on a civil service basis; requiring employers to pay
7 keep records and make reports, and certain employers to pay
8 contributions based on payrolls to provide moneys for the
9 payment of compensation to certain unemployed persons;
10 providing procedure and administrative details for the
11 determination, payment and collection of such contributions
12 and the payment of such compensation; providing for
13 cooperation with the Federal Government and its agencies;
14 creating certain special funds in the custody of the State
15 Treasurer; and prescribing penalties," in contributions by
16 employers and employees, further providing for relief from
17 charges; and, in compensation, further providing for
18 ineligibility for compensation and providing for eligibility
19 related to domestic violence.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. Section 302.1(a)(1) and (c)(1) of the act of
23 December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as
24 the Unemployment Compensation Law, are amended to read:

25 Section 302.1. Relief from Charges.--Notwithstanding any
26 other provisions of this act assigning charges for compensation

1 paid to employes, except for section 302(a)(2), the department
2 shall relieve an employer of charges for compensation in
3 accordance with this section and section 213 of this act.

4 (a) Circumstances allowing relief:

5 (1) If an individual was separated from his most recent work
6 for an employer due to being discharged for willful misconduct
7 connected with that work, or due to his leaving that work
8 without good cause attributable to his employment, or due to his
9 being separated from such work under conditions which would
10 result in disqualification for benefits under the provisions of
11 section 3 or 402(e.1) and (e.2) of this act, the employer shall
12 be relieved of charges for compensation paid to the individual
13 with respect to any week of unemployment occurring subsequent to
14 such separation. Relief from charges under this paragraph
15 terminates if the employe returns to work for the employer.

16 * * *

17 (c) Relief from charges without a request:

18 (1) If a claimant is determined ineligible for benefits
19 under section 3 or 402(b), (e) ~~[or]~~, (e.1) or (e.2) of this act
20 pursuant to a notice of determination that has become final, the
21 department shall grant relief from charges in accordance with
22 subsection (a)(1) to the employer from whom the claimant was
23 separated, beginning with the earliest week for which the
24 claimant is eligible for benefits following the week or weeks
25 governed by the notice of determination.

26 * * *

27 Section 2. Section 402(b) of the act is amended and the
28 section is amended by adding a subsection to read:

29 Section 402. Ineligibility for Compensation.--An employe
30 shall be ineligible for compensation for any week--

1 * * *

2 (b) In which his unemployment is due to voluntarily leaving
3 work without cause of a necessitous and compelling nature
4 attributable to his employment, irrespective of whether or not
5 such work is in "employment" as defined in this act: Provided,
6 That a voluntary leaving work because of a work-related
7 disability if the employer is able to provide other suitable
8 work, shall be deemed not a cause of a necessitous and
9 compelling nature: attributable to his employment: And provided
10 further, That no employe shall be deemed to be ineligible under
11 this subsection where the Federal Unemployment Tax Act requires
12 eligibility: And provided further, That no employe shall be
13 deemed to be ineligible under this subsection where as a
14 condition of continuing in employment such employe would be
15 required to join or remain a member of a company union or to
16 resign from or refrain from joining any bona fide labor
17 organization, or to accept wages, hours or conditions of
18 employment not desired by a majority of the employes in the
19 establishment or the occupation, or would be denied the right of
20 collective bargaining under generally prevailing conditions, and
21 that in determining whether or not an employe has left his work
22 voluntarily without cause of a necessitous and compelling nature
23 attributable to his employment, the department shall give
24 consideration to the same factors, insofar as they are
25 applicable, provided, with respect to the determination of
26 suitable work under section four (t): And provided further, That
27 the provisions of this subsection shall not apply in the event
28 of a stoppage of work which exists because of a labor dispute
29 within the meaning of subsection (d). Provided further, That no
30 otherwise eligible claimant shall be denied benefits for any

1 week in which his unemployment is due to exercising the option
2 of accepting a layoff, from an available position pursuant to a
3 labor-management contract agreement, or pursuant to an
4 established employer plan, program or policy: Provided further,
5 That a claimant shall not be disqualified for voluntarily
6 leaving work, which is not suitable employment to enter training
7 approved under section 236(a) (1) of the Trade Act of 1974:
8 Provided further, That a claimant shall not be disqualified for
9 voluntarily leaving work if the claimant left such work to
10 accompany a spouse who is on active duty with the United States
11 Armed Forces and is required to relocate due to permanent change
12 of station orders, activation orders or unit deployment orders
13 and such relocation would make it impractical or unreasonably
14 difficult, as determined by the department, for the claimant to
15 continue employment with the claimant's employer. For purposes
16 of this subsection the term "suitable employment" means with
17 respect to a claimant, work of a substantially equal or higher
18 skill level than the claimant's past "adversely affected
19 employment" (as defined in section 247 of the Trade Act of
20 1974), and wages for such work at not less than eighty per
21 centum of the worker's "average weekly wage" (as defined in
22 section 247 of the Trade Act of 1974).

23 * * *

24 (e.2) In which his unemployment is due to discharge or
25 temporary suspension from work for any of the following reasons:

26 (1) Failure to obey any reasonable workplace rule or work-
27 related government regulation or law of which the employe was
28 aware.

29 (2) The deliberate damage to property of the employer or
30 another employe or the theft of an employer's or another

employee's property.

(3) Reporting to work under the influence of alcohol or illegal drugs or consuming alcohol or using illegal drugs while at work.

(4) Threatening a coworker or supervisor with physical harm or threatening to harm the interests of the employer.

(5) Disregard of a supervisor's reasonable directives or orders or acts of negligence which indicate substantial disregard for the employer's interests.

(6) Failure to maintain a valid license or certificate that has been issued by a Federal or Commonwealth agency or political subdivision and which is a requirement of employment, unless the failure was for reasons beyond the control of the employee.

(7) Failure to provide good cause for being absent from work on two or more occasions or failure to report in a proper manner under the employer's policy for absences from work on two or more occasions.

* * *

Section 3. The act is amended by adding a section to read:

Section 402.7. Eligibility Related to Domestic Violence.--

(a) An employee shall not be deemed to be ineligible under section 402(b) for voluntarily leaving employment or section 402(e) or (e.2) for failure to attend work if, due to a domestic violence situation, the individual's continued employment would jeopardize the safety of the individual or a member of the individual's family or household.

(b) Verification of a domestic violence situation may be provided on the initial application for benefits through any one of the following which documents recent domestic violence:

(1) An active or recently issued protective order or other

order, court records, a police record, medical treatment records, social services records or child protective services records.

(2) A statement supporting the existence of recent domestic violence from a qualified professional from whom the individual has sought assistance, such as a counselor, shelter worker, member of the clergy, attorney or health care worker, or a similar statement from a friend or relative from whom the individual has sought assistance.

(3) A self-affirmation that the individual's continued employment would jeopardize the safety of the individual or a member of the individual's family or household due to the domestic violence situation.

(4) Any other type of evidence that reasonably proves domestic violence.

(c) The documentation of domestic violence shall remain confidential and the department may not disclose the existence of a domestic violence situation in any notice provided to an employer regarding the claim for compensation.

(d) (1) If an individual who submits verification under subsection (b) in a form acceptable to the department is otherwise eligible under section 401, the individual shall be considered eligible and the department shall expedite a determination of eligibility under section 501.

(2) An individual who submits a self-affirmation under subsection (b)(3) shall submit documentation of the domestic violence situation under subsection (b)(1), (2) or (4) to the department within one hundred fifty (150) days of the date of application.

(3) This subsection shall not be construed to prohibit

1 redetermination of eligibility within eighteen (18) months of
2 the application for benefits if the department receives
3 information within eighteen (18) months of the application for
4 benefits indicating that the self-affirmation submitted under
5 subsection (b) (3) included false information or an individual
6 fails to submit documentation of the domestic violence situation
7 under subsection (b) (1), (2) or (4) within one hundred fifty
8 (150) days of the date of application.

9 (e) The department shall grant relief from charges under
10 section 302.1 to base year employers for benefit charges related
11 to a claim that is determined eligible in accordance with this
12 section. Relief from charges shall be provided without a request
13 from the employer.

14 (f) Subject to subsection (c), if an employer is granted
15 relief from charges without a request under subsection (e), the
16 department shall notify the employer that relief from charges
17 shall be granted without the need for the employer to submit a
18 request. Notice under this subsection may be included on the
19 eligibility determination provided to the employer or on other
20 relevant claim documentation delivered to the employer.

21 Section 4. The Department of Labor and Industry shall
22 consult with the Office of Victim Advocate and relevant advocacy
23 groups when implementing section 402.7 of the act, including
24 updates to the application for unemployment compensation,
25 updated notices to claimants and employers and the development
26 of any forms related to documentation of a domestic violence
27 situation.

28 Section 5. This act shall take effect in six months.