

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 274 Session of
2025

INTRODUCED BY DAWKINS, GROVE, SHUSTERMAN, HARKINS, HILL-EVANS,
MARCELL, KHAN, POWELL, VENKAT, DEASY, McNEILL, CARROLL,
FREEMAN, SCHLOSSBERG, GIRAL, MAYES, HOWARD, CERRATO, SANCHEZ,
KENYATTA, WARREN, HOHENSTEIN, BOYD, K. HARRIS, MADSEN AND
GREEN, JANUARY 22, 2025

SENATOR ROBINSON, LABOR AND INDUSTRY, IN SENATE, RE-REPORTED AS
AMENDED, OCTOBER 29, 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
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 compensation,
16 ~~providing for eligibility related to domestic violence.~~
17 FURTHER PROVIDING FOR QUALIFICATIONS REQUIRED TO SECURE
18 COMPENSATION AND FOR INELIGIBILITY FOR COMPENSATION,
19 PROVIDING FOR ELIGIBILITY RELATED TO DOMESTIC VIOLENCE AND
20 FURTHER PROVIDING FOR RATE AND AMOUNT OF COMPENSATION.

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

23 ~~Section 1. The act of December 5, 1936 (2nd Sp.Sess., 1937~~ <--

24 ~~P.L.2897, No.1), known as the Unemployment Compensation Law, is~~

1 ~~amended by adding a section to read:~~

2 SECTION 1. SECTIONS 401(F) AND 402(A) OF THE ACT OF DECEMBER <--
3 5, 1936 (2ND SP.SESS., 1937 P.L.2897, NO.1), KNOWN AS THE
4 UNEMPLOYMENT COMPENSATION LAW, ARE AMENDED TO READ:

5 SECTION 401. QUALIFICATIONS REQUIRED TO SECURE
6 COMPENSATION.--COMPENSATION SHALL BE PAYABLE TO ANY EMPLOYEE WHO
7 IS OR BECOMES UNEMPLOYED, AND WHO--

8 * * *

9 (F) HAS EARNED, SUBSEQUENT TO HIS SEPARATION FROM WORK UNDER
10 CIRCUMSTANCES WHICH ARE DISQUALIFYING UNDER THE PROVISIONS OF
11 SUBSECTIONS 402(B), 402(E), 402(E.1), 402(H) AND 402(K) OF THIS
12 ACT, REMUNERATION FOR SERVICES IN AN AMOUNT EQUAL TO OR IN
13 EXCESS OF [SIX (6)] TEN (10) TIMES HIS WEEKLY BENEFIT RATE IN
14 "EMPLOYMENT" AS DEFINED IN THIS ACT. THE PROVISIONS OF THIS
15 SUBSECTION SHALL NOT APPLY TO A SUSPENSION OF WORK BY AN
16 INDIVIDUAL PURSUANT TO A LEAVE OF ABSENCE GRANTED BY HIS LAST
17 EMPLOYER, PROVIDED SUCH INDIVIDUAL HAS MADE A REASONABLE EFFORT
18 TO RETURN TO WORK WITH SUCH EMPLOYER UPON THE EXPIRATION OF HIS
19 LEAVE OF ABSENCE.

20 * * *

21 SECTION 402. INELIGIBILITY FOR COMPENSATION.--AN EMPLOYEE
22 SHALL BE INELIGIBLE FOR COMPENSATION FOR ANY WEEK--

23 (A) IN WHICH HIS UNEMPLOYMENT IS DUE TO FAILURE, WITHOUT
24 GOOD CAUSE, EITHER TO APPLY FOR SUITABLE WORK AT SUCH TIME AND
25 IN SUCH MANNER AS THE DEPARTMENT MAY PRESCRIBE, OR TO ACCEPT
26 SUITABLE WORK WHEN OFFERED TO HIM BY THE EMPLOYMENT OFFICE OR BY
27 ANY EMPLOYER, IRRESPECTIVE OF WHETHER OR NOT SUCH WORK IS IN
28 "EMPLOYMENT" AS DEFINED IN THIS ACT: PROVIDED, THAT SUCH
29 EMPLOYER NOTIFIES THE EMPLOYMENT OFFICE OF SUCH OFFER WITHIN
30 SEVEN (7) DAYS AFTER THE MAKING THEREOF; HOWEVER THIS SUBSECTION

1 SHALL NOT CAUSE A DISQUALIFICATION OF A WAITING WEEK OR BENEFITS
2 UNDER THE FOLLOWING CIRCUMSTANCES: WHEN WORK IS OFFERED BY HIS
3 EMPLOYER AND HE IS NOT REQUIRED TO ACCEPT THE OFFER PURSUANT TO
4 THE TERMS OF THE LABOR-MANAGEMENT CONTRACT OR AGREEMENT, OR
5 PURSUANT TO AN ESTABLISHED EMPLOYER PLAN, PROGRAM OR POLICY:
6 PROVIDED FURTHER, THAT A CLAIMANT SHALL NOT BE DISQUALIFIED FOR
7 REFUSING SUITABLE WORK WHEN HE IS IN TRAINING APPROVED UNDER
8 SECTION 236(A) (1) OF THE TRADE ACT OF 1974[.]: PROVIDED FURTHER,
9 THAT THE FOLLOWING APPLY:

10 (1) A CLAIMANT SHALL MAKE A GOOD FAITH EFFORT TO OBTAIN
11 EMPLOYMENT IN SUITABLE WORK. A CLAIMANT WHO HAS APPLIED FOR A
12 POSITION MAY NOT TAKE ANY ACTION TO UNREASONABLY DISCOURAGE THE
13 CLAIMANT'S OWN HIRE IN SUITABLE WORK, INCLUDING ANY OF THE
14 FOLLOWING:

15 (I) REFUSING TO ATTEND OR FAILING TO PARTICIPATE, WITHOUT
16 GOOD CAUSE, IN A JOB INTERVIEW OR OTHER APPLICANT SELECTION
17 ACTIVITY OFFERED BY THE EMPLOYER.

18 (II) REFUSING EMPLOYMENT, OR A REFERRAL FOR EMPLOYMENT,
19 WITHOUT GOOD CAUSE, PRIOR TO AN INTERVIEW OR A DISCUSSION OF THE
20 DETAILS OF A JOB WITH THE EMPLOYER.

21 (2) WITHIN NINETY (90) DAYS OF THE EFFECTIVE DATE OF THIS
22 CLAUSE, THE DEPARTMENT SHALL CREATE FORMS OR UPDATE EXISTING
23 FORMS TO ENABLE EMPLOYERS TO REPORT CLAIMANTS WHO DISCOURAGE
24 THEIR OWN HIRE, AS PROVIDED IN THIS SUBSECTION. THE FORMS SHALL
25 INCLUDE NOTICE OF THE PROVISIONS OF SECTION 802 OF THIS ACT.

26 (3) A CLAIMANT WHO UNREASONABLY DISCOURAGES THE CLAIMANT'S
27 OWN HIRE IN SUITABLE WORK SHALL BE CONSIDERED TO HAVE REFUSED AN
28 OFFER OF WORK FOR PURPOSES OF THIS SUBSECTION.

29 * * *

30 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

1 Section 402.7. Eligibility Related to Domestic Violence.--

2 (a) An employe shall not be deemed to be ineligible under
3 section 402(b) for voluntarily leaving employment or section
4 402(e) for failure to attend work if, due to a domestic violence
5 situation, the individual's continued employment would
6 jeopardize the safety of the individual or a member of the
7 individual's family or household.

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

11 (1) An active or recently issued protective order or other
12 order, court records, a police record, medical treatment
13 records, social services records or child protective services
14 records.

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

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

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

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

1 ~~(d) If an individual who submits verification~~ VERIFIES <--
2 ~~DOMESTIC VIOLENCE under subsection (b) in a form acceptable to~~ <--
3 ~~the department~~ is otherwise eligible under section 401, the
4 individual shall be considered eligible, and the department
5 shall expedite a determination of eligibility under section 501.
6 ~~An individual who submits a self affirmation under subsection~~ <--
7 ~~(b) (3) shall submit documentation of the domestic violence~~
8 ~~situation under subsection (b) (1), (2) or (4) to the department~~
9 ~~within one hundred fifty (150) days of the date of application.~~
10 ~~This subsection shall not be construed to prohibit~~
11 ~~redetermination of eligibility within eighteen (18) months of~~
12 ~~the application for benefits if the department receives~~
13 ~~information within eighteen (18) months of the application for~~
14 ~~benefits indicating that the self affirmation submitted under~~
15 ~~subsection (b) (3) included false information or an individual~~
16 ~~fails to submit documentation of the domestic violence situation~~
17 ~~under subsection (b) (1), (2) or (4) within one hundred fifty~~
18 ~~(150) days of the date of application.~~

19 ~~(E) AN INDIVIDUAL WHO SUBMITS A SELF-AFFIRMATION UNDER~~ <--
20 ~~SUBSECTION (B) (3) SHALL SUBMIT DOCUMENTATION OF THE DOMESTIC~~
21 ~~VIOLENCE SITUATION UNDER SUBSECTION (B) (1), (2) OR (4) TO THE~~
22 ~~DEPARTMENT WITHIN ONE HUNDRED FIFTY (150) DAYS OF THE DATE OF~~
23 ~~APPLICATION. THE DEPARTMENT MAY, FOR GOOD CAUSE, EXCUSE THE~~
24 ~~REQUIREMENTS OR EXTEND THE PERIOD IN WHICH DOCUMENTATION MUST BE~~
25 ~~PROVIDED.~~

26 ~~(e)~~ (F) The department shall grant relief from charges under <--
27 ~~section 302.1 to base year employers for benefit charges related~~
28 ~~to a claim that is determined eligible in accordance with this~~
29 ~~section. Relief from charges shall be provided without a request~~
30 ~~from the employer.~~

1 ~~(f)~~ (G) Subject to subsection (c), if an employer is granted <--
2 relief from charges without a request under subsection ~~(e)~~ (F), <--
3 the department shall notify the employer that relief from
4 charges shall be granted without the need for the employer to
5 submit a request. Notice under this subsection may be included
6 on the eligibility determination provided to the employer or on
7 other relevant claim documentation delivered to the employer.

8 SECTION 3. SECTION 404(E) (2) (V) OF THE ACT IS AMENDED TO <--
9 READ:

10 SECTION 404. RATE AND AMOUNT OF COMPENSATION.--COMPENSATION
11 SHALL BE PAID TO EACH ELIGIBLE EMPLOYEE IN ACCORDANCE WITH THE
12 FOLLOWING PROVISIONS OF THIS SECTION EXCEPT THAT COMPENSATION
13 PAYABLE WITH RESPECT TO WEEKS ENDING IN BENEFIT YEARS WHICH
14 BEGIN PRIOR TO THE FIRST DAY OF JANUARY 1989 SHALL BE PAID ON
15 THE BASIS OF THE PROVISIONS OF THIS SECTION IN EFFECT AT THE
16 BEGINNING OF SUCH BENEFIT YEARS.

17 * * *

18 (E) * * *

19 (2) * * *

20 (V) IF, ON JULY 1, 2025, THE TRIGGER PERCENTAGE DETERMINED
21 UNDER SECTION 301.7(A) IS LESS THAN [TWO HUNDRED FIFTY PER
22 CENTUM (250%)] ONE HUNDRED PER CENTUM (100%), THE FOLLOWING
23 SHALL APPLY:

24 (A) NOTWITHSTANDING THE DEFINITION OF "HIGHEST QUARTERLY
25 WAGES" IN SUBSECTION (B), BUT SUBJECT TO SUBCLAUSE (VI),
26 "HIGHEST QUARTERLY WAGES" FOR PURPOSES OF THIS SECTION FOR
27 CALENDAR YEARS 2026 AND THEREAFTER SHALL BE THE AVERAGE OF THE
28 TOTAL WAGES (COMPUTED TO THE NEAREST DOLLAR), WHICH WERE PAID TO
29 THE EMPLOYEE COMPUTED AS FOLLOWS:

30 (I) THE WAGES PAID TO THE EMPLOYEE IN THAT CALENDAR QUARTER

1 IN WHICH SUCH TOTAL WAGES WERE HIGHEST DURING THE BASE YEAR
2 SHALL BE CALCULATED.

3 (II) THE AMOUNT CALCULATED UNDER DIVISION (I) SHALL BE ADDED
4 TO AN AMOUNT EQUAL TO ONE HUNDRED THIRTY PER CENTUM (130%) OF
5 THE WAGES PAID TO THE EMPLOYE IN THE CALENDAR QUARTER IN WHICH
6 SUCH TOTAL WAGES WERE THE SECOND HIGHEST OF ANY CALENDAR QUARTER
7 DURING THE BASE YEAR, PROVIDED THAT THE AMOUNT ADDED UNDER THIS
8 DIVISION (II) MAY NOT BE GREATER THAN THE WAGES PAID TO THE
9 EMPLOYE DURING THE HIGHEST CALENDAR QUARTER UNDER DIVISION (I).

10 (III) THE SUM CALCULATED UNDER DIVISION (II) SHALL BE
11 DIVIDED BY TWO.

12 (B) NOTWITHSTANDING SECTION 401(A)(2), AND EXCEPT AS
13 PROVIDED IN SUBSECTIONS (A)(3) AND (E)(1) AND (2), SECTION
14 401(A) SHALL REQUIRE THAT THE SECOND ENTRY IN PART A OF THE
15 TABLE FOR THE DETERMINATION OF RATE AND AMOUNT OF BENEFITS, ON
16 THE LINE ON WHICH THERE APPEARS THE EMPLOYE'S WEEKLY BENEFIT
17 RATE, DOES NOT EXCEED SIXTY-THREE PER CENTUM (63%) OF THE
18 EMPLOYE'S TOTAL BASE YEAR WAGES.

19 * * *

20 Section ~~2~~ 4. The Department of Labor and Industry shall <--
21 consult with the Office of Victim Advocate and relevant advocacy
22 groups when implementing section 402.7 of the act, including
23 updates to the application for unemployment compensation,
24 updated notices to claimants and employers and the development
25 of any forms related to documentation of a domestic violence
26 situation.

27 Section ~~3~~ 5. This act shall take effect ~~in six months~~. AS <--
28 FOLLOWS:

29 (1) THE AMENDMENT OF SECTION 401(F) OF THE ACT SHALL
30 TAKE EFFECT IN ONE YEAR.

1 (2) THE AMENDMENT OF SECTION 404(E) (2) (V) OF THE ACT
2 SHALL TAKE EFFECT IMMEDIATELY.

3 (3) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

4 (4) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
5 DAYS.