



General Assembly

Substitute Bill No. 934

January Session, 2011

* SB00934HED__040611__ *

**AN ACT CONCERNING THE REASONABLE ASSURANCE DOCTRINE
UNDER THE UNEMPLOYMENT COMPENSATION ACT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 31-227 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

4 (d) Benefits based on service in employment defined in subdivisions
5 (1) (C) and (D) of subsection (a) of section 31-222 shall be payable in
6 the same amount, on the same terms and subject to the same
7 conditions as compensation payable on the basis of other service
8 subject to this chapter; except that:

9 (1) [with] With respect to weeks of unemployment beginning after
10 December 31, 1977, benefits shall not be paid based on service
11 performed in an instructional, research or principal administrative
12 capacity for an educational institution for any week of unemployment
13 commencing during the period between two successive academic
14 years, or during a similar period between two regular terms, whether
15 or not successive, or during a period of paid sabbatical leave provided
16 for in the individual's contract, to any individual if such individual
17 performs such services in the first of such academic years (or terms)
18 and if there is a contract or a reasonable assurance that such individual

19 will perform services in any such capacity for any educational
20 institution in the second of such academic years or terms provided,
21 however, that to constitute a reasonable assurance of continued
22 employment there must be evidence that the employer actually
23 communicated, either in writing or verbally, to the employee an offer
24 or assignment for the following academic year or term;

25 (2) [with] With respect to weeks of unemployment beginning after
26 October 29, 1983, for service performed in any other capacity for an
27 educational institution, benefits shall not be paid on the basis of such
28 services to any individual for any week which commences during a
29 period between two successive academic years or terms if such
30 individual performs such services in the first of such academic years or
31 terms and there is a reasonable assurance that such individual will
32 perform such services in the second of such academic years or terms,
33 except that if benefits are denied to any individual under this
34 subdivision and such individual is not offered an opportunity to
35 perform such services for the educational institution for the second of
36 such academic years or terms, such individual shall be entitled to a
37 retroactive payment of benefits for each week for which the individual
38 filed a timely claim for benefits and for which benefits were denied
39 solely by reason of this subdivision;

40 (3) [with] With respect to weeks of unemployment beginning after
41 March 31, 1984, for services described in subdivisions (1) and (2) of this
42 subsection, benefits shall not be payable on the basis of such services to
43 any individual for any week which commences during an established
44 and customary vacation period or holiday recess if such individual
45 performs such services in the period immediately before such vacation
46 period or holiday recess and there is a reasonable assurance that such
47 individual will perform such services in the period immediately
48 following such vacation period or holiday recess; and

49 (4) [with] With respect to weeks of unemployment beginning after
50 March 31, 1984, for services described in subdivisions (1) and (2) of this
51 subsection, benefits shall not be payable on the basis of such services

52 under the circumstances prescribed in subdivisions (1), (2) and (3) of
53 this subsection to any individual who performed such services in an
54 educational institution while in the employ of an educational service
55 agency. For purposes of this subdivision the term "educational service
56 agency" means a governmental agency or governmental entity which
57 is established and operated exclusively for the purpose of providing
58 such services to one or more educational institutions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	31-227(d)

LAB *Joint Favorable Subst.*

HED *Joint Favorable*