

AN ACT concerning employment.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Unemployment Insurance Act is amended by adding Section 408.5 as follows:

(820 ILCS 405/408.5 new)

Sec. 408.5. Additional benefits.

A. Additional benefits shall be available:

1. Only with respect to benefit years beginning on or after April 1, 2015 and prior to the effective date of this amendatory Act of the 99th General Assembly; and

2. To an otherwise eligible individual: (a) who was certified as eligible to apply for adjustment assistance under the federal Trade Act of 1974, as amended, on or after January 1, 2015; (b) who has not received the maximum amount of trade readjustment allowances payable to him or her pursuant to paragraph (1) of subsection (a) of Section 233 of the federal Trade Act of 1974, as amended, as a result of the certification referenced in item (a) of this paragraph 2; and (c) whose total or partial unemployment is attributable to a layoff from a steel manufacturer.

B. An individual shall be eligible to receive additional benefits pursuant to this Section for a week if he or she: (1)

has met the requirements of Section 500E of this Act; (2) is an exhaustee; and (3) except when the result would be inconsistent with the provisions of this Section, has satisfied the requirements of this Act for the receipt of regular benefits as that term is defined in Section 409 of this Act.

C. For the purposes of this Section, an individual is an exhaustee with respect to a week if:

1. Prior to such week: (a) he or she has received, with respect to his or her current benefit year that includes such week, the maximum total amount of benefits to which he or she was entitled under the provisions of Section 403B, and all of the regular benefits (including dependents' allowances) to which he or she had entitlement (if any) on the basis of wages or employment under any other State unemployment compensation law; or (b) he or she has received all the regular benefits available to him or her with respect to his or her current benefit year that includes such week, under this Act and under any other State unemployment compensation law, after a cancellation of some or all of his or her wage credits or the partial or total reduction of his or her regular benefit rights; or (c) his or her benefit year terminated, and he or she cannot meet the qualifying wage requirements of Section 500E of this Act or the qualifying wage or employment requirements of any other State unemployment compensation law to establish a new benefit year which would include

such week or, having established a new benefit year that includes such week, he or she is ineligible for regular benefits by reason of Section 607 of this Act or a like provision of any other State unemployment compensation law; and

2. For such week: (a) he or she has no right to benefits or allowances, as the case may be, under the Railroad Unemployment Insurance Act, the federal Trade Act of 1974, as amended, or such other federal laws as are specified in regulations of the United States Secretary of Labor or other appropriate federal agency; and (b) he or she has not received and is not seeking benefits under the unemployment compensation law of Canada, except that if he or she is seeking such benefits and the appropriate agency finally determines that he or she is not entitled to benefits under such law, this clause shall not apply; and

3. The week for which additional benefits are being claimed is not later than seventy-eight weeks after the end of the individual's benefit year for which benefits can be claimed under this Section.

For the purposes of clauses (a) and (b) of paragraph 1 of this subsection, an individual shall be deemed to have received, with respect to his or her current benefit year, the maximum total amount of benefits to which he or she was entitled or all of the regular benefits to which he or she had entitlement, or all of the regular benefits available to him or

her, as the case may be, even though: (a) as a result of a pending reconsideration or appeal with respect to the "finding" defined in Section 701, or of a pending appeal with respect to wages or employment or both under any other State unemployment compensation law, he or she may subsequently be determined to be entitled to more regular benefits; or (b) by reason of a seasonality provision in a State unemployment compensation law which establishes the weeks of the year for which regular benefits may be paid to individuals on the basis of wages in seasonal employment he or she may be entitled to regular benefits for future weeks but such benefits are not payable with respect to the week for which he or she is claiming additional benefits, provided that he or she is otherwise an exhaustee under the provisions of this subsection with respect to his or her rights to regular benefits, under such seasonality provision, during the portion of the year in which that week occurs; or (c) having established a benefit year, no regular benefits are payable to him or her with respect to such year because his or her wage credits were cancelled or his or her rights to regular benefits were totally reduced by reason of the application of a disqualification provision of a State unemployment compensation law.

An individual shall not cease to be an exhaustee with respect to any week solely because he or she meets the qualifying wage requirements of Section 500E for a part of such week.

D. The provisions of Section 607 and the waiting period requirements of Section 500D shall not be applicable to any week with respect to which benefits are otherwise payable under this Section.

E. With respect to any week payable under this Section, an exhaustee's "weekly additional benefit amount" shall be the same as his or her weekly benefit amount during his or her benefit year which includes such week or, if such week is not in a benefit year, during his or her applicable benefit year, as defined in regulations issued by the United States Secretary of Labor or other appropriate federal agency. If the exhaustee had more than one weekly benefit amount during his or her benefit year, his or her weekly additional benefit amount with respect to such week shall be the latest of such weekly benefit amounts.

F. An eligible exhaustee shall be entitled to a maximum total amount of additional benefits equal to the maximum total amount of benefits to which he or she was entitled under Section 403B, plus dependents' allowances, during his or her applicable benefit year, minus the sum of any trade readjustment allowances he or she has received as a result of the certification referenced in item (a) of paragraph 2 of subsection A.

G. 1. A claims adjudicator shall examine the first claim filed by an individual who meets the requirements of subsection A and, on the basis of the information in his or her

possession, shall make an "additional benefits finding". Such finding shall state whether or not the individual has met the requirement of subsection E of Section 500 of this Act, is an exhaustee and, if so, his or her weekly additional benefit amount and the maximum total amount of additional benefits to which he or she is entitled. The claims adjudicator shall promptly notify the individual of his or her "additional benefits finding", and shall promptly notify the individual's most recent employing unit and the individual's last employer (referred to in Section 1502.1) that the individual has filed a claim for additional benefits. The claims adjudicator may reconsider his or her "additional benefits finding" at any time within 2 years after the close of the individual's applicable benefit year, and shall promptly notify the individual of such reconsidered finding. All of the provisions of this Act applicable to reviews from findings or reconsidered findings made pursuant to Sections 701 and 703 which are not inconsistent with the provisions of this subsection shall be applicable to reviews from additional benefits findings and reconsidered additional benefits findings.

2. If, pursuant to the reconsideration or appeal with respect to a "finding", referred to in subsection C, an exhaustee is found to be entitled to more regular benefits and, by reason thereof, is entitled to more additional benefits, the claims adjudicator shall make a reconsidered additional benefits finding and shall promptly notify the exhaustee

thereof.

H. Benefits payable pursuant to this Section shall be paid from the unemployment trust fund.

I. No employer shall be chargeable for the additional benefits paid under this Section.

J. To ensure full compliance and coordination with all applicable federal laws, including, but not limited to, the federal Trade Act of 1974, as amended, the Federal Unemployment Tax Act, and the Social Security Act, the Director shall take any action or issue any regulations necessary in the administration of this Section to ensure that its provisions are so interpreted and applied as to meet the requirements of such federal Act as interpreted by the United States Secretary of Labor or other appropriate Federal agency.

Section 99. Effective date. This Act takes effect upon becoming law.