

1.1 Senator ..... moves to amend S.F. No. 3588 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2022, section 268.085, subdivision 13b, is amended to  
1.4 read:

1.5 Subd. 13b. **Labor dispute.** (a) An applicant who has stopped working because of a labor  
1.6 dispute at the establishment where the applicant is employed is not ineligible for  
1.7 unemployment benefits: under this subdivision.

1.8 ~~(1) until the end of the calendar week that the labor dispute was in active progress if the~~  
1.9 ~~applicant is participating in or directly interested in the labor dispute; or~~

1.10 ~~(2) until the end of the calendar week that the labor dispute began if the applicant is not~~  
1.11 ~~participating in or directly interested in the labor dispute.~~

1.12 ~~Participation includes any failure or refusal by an applicant, voluntarily or involuntarily,~~  
1.13 ~~to accept and perform available and customary work at the establishment.~~

1.14 ~~(b) An applicant who has stopped working because of a jurisdictional controversy~~  
1.15 ~~between two or more labor organizations at the establishment where the applicant is employed~~  
1.16 ~~is ineligible for unemployment benefits until the end of the calendar week that the~~  
1.17 ~~jurisdictional controversy was in progress.~~

1.18 ~~(c) An applicant is not ineligible for unemployment benefits under this subdivision if:~~

1.19 ~~(1) the applicant stops working because of an employer's intentional failure to observe~~  
1.20 ~~the terms of the safety and health section of a union contract or failure to comply with an~~  
1.21 ~~official citation for a violation of federal or state laws involving occupational safety and~~  
1.22 ~~health;~~

1.23 ~~(2) the applicant stops working because of a lockout; or~~

1.24 ~~(3) the applicant is discharged before the beginning of a labor dispute.~~

1.25 (b) An applicant who has stopped working because of a labor dispute at the establishment  
1.26 where the applicant is employed is not considered to have quit that employment or been  
1.27 discharged from that employment under section 268.095 at the time the labor dispute began,  
1.28 nor is the applicant considered to be on a leave of absence or suspended from that  
1.29 employment under section 268.085 at the time the labor dispute began.

1.30 ~~(d)~~ (c) A quit from employment by the applicant during the time that the labor dispute  
1.31 is in active progress at the establishment ~~does not terminate the applicant's participation in~~

2.1 ~~or direct interest in the labor dispute for purposes of this subdivision~~ is considered a quit  
2.2 from employment at the time the quit occurred subject to section 268.095.

2.3 (d) An applicant who is discharged from employment during the time that the labor  
2.4 dispute is in active progress at the establishment is considered discharged from employment  
2.5 at the time the discharge occurred subject to section 268.095.

2.6 (e) For the purpose of this subdivision, the term "labor dispute" has the same definition  
2.7 as provided in section 179.01, subdivision 7.

2.8 Sec. 2. Minnesota Statutes 2022, section 268.085, subdivision 16, is amended to read:

2.9 Subd. 16. **Actively seeking suitable employment defined.** (a) "Actively seeking suitable  
2.10 employment" means those reasonable, diligent efforts an individual in similar circumstances  
2.11 would make if genuinely interested in obtaining suitable employment under the existing  
2.12 conditions in the labor market area. Limiting the search to positions that are not available  
2.13 or are above the applicant's training, experience, and qualifications is not "actively seeking  
2.14 suitable employment."

2.15 (b) To be "actively seeking suitable employment" an applicant must, when reasonable,  
2.16 contact those employers from whom the applicant was laid off because of lack of work and  
2.17 request suitable employment.

2.18 (c) If reasonable prospects of suitable employment in the applicant's usual or customary  
2.19 occupation do not exist, the applicant must actively seek other suitable employment to be  
2.20 "actively seeking suitable employment." This applies to an applicant who is seasonally  
2.21 unemployed.

2.22 (d) Actively seeking a suitable job assignment or other employment with a staffing  
2.23 service is actively seeking suitable employment.

2.24 (e) An applicant who is seeking employment only through a union is actively seeking  
2.25 suitable employment if the applicant is in an occupation where hiring in that locality is done  
2.26 through the union. If the applicant is a union member who is restricted to obtaining  
2.27 employment among signatory contractors in the construction industry, seeking employment  
2.28 only with those signatory contractors is actively seeking employment. The applicant must  
2.29 be a union member in good standing, registered with the union for employment, and in  
2.30 compliance with other union rules to be "actively seeking suitable employment." The  
2.31 applicant will be considered "actively seeking suitable employment" during periods when  
2.32 the union's members have stopped working for signatory contractors in the construction  
2.33 industry because of a labor dispute."

3.1 Delete the title and insert:

3.2 "A bill for an act

3.3 relating to unemployment insurance; modifying eligibility under certain conditions  
3.4 for applicants involved in a labor dispute; clarifying the definition of actively  
3.5 seeking suitable employment during certain labor disputes; amending Minnesota  
3.6 Statutes 2022, section 268.085, subdivisions 13b, 16."