NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 226
SENATE BILL 570

AN ACT TO AMEND CHAPTER 96 OF THE GENERAL STATUTES KNOWN AS THE EMPLOYMENT SECURITY LAW MAKING TEACHERS AND OTHER SECONDARY SCHOOL PERSONNEL NOW COVERED FOR UNEMPLOYMENT INSURANCE PURPOSES BY FEDERAL LAW, STATE LAW, OR CONTRACT WHO DO NOT HAVE AN EMPLOYMENT CONTRACT ELIGIBLE FOR UNEMPLOYMENT INSURANCE BENEFITS DURING THE TRADITIONAL NONWORKING WEEKS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 96-13(3) is amended by adding after the period following the word "begins" on line 20, the following:

"Provided further, any employee of a secondary school system or subdivision of a secondary school system now covered for unemployment insurance purposes by federal law, State law, or contract, shall be considered available for work during any week such individual is on vacation between successive terms, quarters, academic years, or similar periods between two regular terms, whether or not successive, only if the individual does not have a contract or contracts, written, oral, or implied, to perform services in any capacity for a secondary school system or subdivision of a secondary school system for both such academic years or both such terms."

Sec. 2. G.S. 96-13(4) is amended by redesignating the present paragraph (4) as (4)A and adding a new paragraph (4)B as follows:

"(4)B. The payment of benefits to any individual based on services for secondary schools, or subdivisions of said secondary schools, subject to this Chapter, or administered under the provisions of this Chapter, shall be in the same manner and under the same conditions of the laws of the Chapter as apply to individuals whose benefit rights are based on other services subject to this Chapter. Except that with respect to services in a secondary school, or subdivision thereof, benefits shall be payable based on such services for any week commencing during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, only if the individual does not have a contract or contracts, written, oral, or implied, to perform services in any such capacity for any secondary school for both such academic years or both such terms."

Sec. 3. G.S. 96-8(5) is amended by adding a new subparagraph m. as follows:

"For purposes of this Chapter, 'secondary school' means any school not an institution of higher education as defined in G.S. 96-8(5)1."

Sec. 4. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 5th day of May, 1975.