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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS

Introduced By: Representatives McLaughlin, Messier, and Azzinaro

Date Introduced: February 05, 2015

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-44-12 of the General Laws in Chapter 28-44 entitled  
2 "Employment Security - Benefits" is hereby amended to read as follows:

3 **28-44-12. Availability and registration for work.** -- (a) An individual shall not be  
4 eligible for benefits for any week of his or her partial or total unemployment unless during that  
5 week he or she is physically able to work and available for work. To prove availability for work,  
6 every individual partially or totally unemployed shall register for work and shall:

7 (1) File a claim for benefits within any time limits, with any frequency, and in any  
8 manner, in person or in writing, as the director may prescribe;

9 (2) Respond whenever duly called for work through the employment office; and

10 (3) Make an active, independent search for suitable work.

11 (b) If an unemployed individual has been determined to be likely to exhaust regular  
12 benefits and to need reemployment services pursuant to a profiling system established by the  
13 director, the individual shall be eligible to receive benefits with respect to any week only if the  
14 individual participates in reemployment services, such as job search assistance services, unless  
15 the director determines that:

16 (1) The individual has completed those services; or

17 (2) There is justifiable cause for the individual's failure to participate in those services.

18 (c) Provided, however, that an individual employed as a school bus driver, under and  
19 employment agreement which stipulates a call-back date for resumption of their seasonal

1 [employment, shall not be subject to the provisions of subsection \(a\) of this section upon proof of](#)  
2 [the existence of that call-back provision.](#)

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
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1           This act would exempt school bus drivers laid off at the end of the school year, who have  
2 an agreement for or with a call-back date at the start of the next term, from the usual eligibility  
3 requirements for receipt of unemployment benefits.

4           This act would take effect upon passage.

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