

1 H.372

2 Introduced by Representative Sharpe of Bristol

3 Referred to Committee on

4 Date:

5 Subject: Labor; unemployment compensation; self-employment assistance

6 Statement of purpose: This bill proposes to establish a self-employment
7 assistance program which would allow qualified applicants to receive
8 unemployment benefits while participating in activities for the purpose of
9 establishing a business and becoming self-employed.

10 An act relating to self-employment assistance

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 21 V.S.A. § 1340a is added to read:

13 § 1340a. SELF-EMPLOYMENT ASSISTANCE PROGRAM

14 (a) For purposes of this section:

15 (1) "Full-time basis" means that the individual is devoting such amount
16 of time as is determined by the commissioner to be necessary to establish a
17 business which will serve as a full-time occupation for that individual.

18 (2) "Regular benefits" has the same meaning as in subdivision 1421(5)
19 of this title.

1 (3) “Self-employment assistance activities” means activities approved
2 by the commissioner in which an individual participates for the purpose of
3 establishing a business and becoming self-employed, including entrepreneurial
4 training, business counseling, and technical assistance.

5 (4) “Self-employment assistance allowance” means an allowance
6 payable in lieu of regular benefits from the unemployment compensation fund
7 to an individual who meets the requirements of this section.

8 (5) “Self-employment assistance program” means a program under
9 which an individual who meets the requirements of subsection (d) of this
10 section is eligible to receive an allowance in lieu of regular benefits for the
11 purpose of assisting that individual in establishing a business and becoming
12 self-employed.

13 (b) The weekly amount of the self-employment assistance allowance
14 payable to an individual shall be equal to the weekly benefit amount for regular
15 benefits otherwise payable under this title.

16 (c) The maximum amount of the self-employment assistance allowances
17 paid under this section may not exceed the maximum amount of benefits
18 established under section 1340 of this title with respect to any benefit year.

19 (d)(1) An individual may receive a self-employment assistance allowance if
20 that individual:

1 (A) Is eligible to receive regular benefits or would be eligible to
2 receive regular benefits except for the requirements described in subdivisions
3 (A) and (B) of subdivision (2) of this subsection;

4 (B) is identified by a worker profiling system as an individual likely
5 to exhaust regular benefits;

6 (C) has been accepted into a program approved by the commissioner
7 that will provide self-employment assistance activities;

8 (D) is actively engaged in a full-time basis in activities, which may
9 include training, related to establishing a business and becoming
10 self-employed; and

11 (E) has filed a weekly claim for the self-employment assistance
12 allowance and provided the information the commissioner prescribes.

13 (2) A self-employment allowance shall be payable to an individual at the
14 same interval, on the same terms, and subject to the same conditions as regular
15 benefits under this chapter, except:

16 (A) the requirements of section 1343 of this title, relating to
17 availability for work, efforts to secure work, and refusal to accept work, are not
18 applicable to the individual;

19 (B) the individual is not considered to be self-employed pursuant to
20 subdivision 1301(24) of this title;

1 (C) an individual who meets the requirements of this section shall be
2 considered to be unemployed under section 1338 of this title; and

3 (D) an individual who fails to participate in self-employment
4 assistance activities or who fails to actively engage on a full-time basis in
5 activities, including training, relating to the establishment of a business and
6 becoming self-employed shall be disqualified from receiving an allowance for
7 the week the failure occurs.

8 (e) The aggregate number of individuals receiving a self-employment
9 assistance allowance at any time may not exceed five percent of the number of
10 individuals receiving regular benefits at that time.

11 (f) The self-employment assistance allowance shall be charged to an
12 employer in accordance with section 1325 of this title.

13 (g) The commissioner may adopt rules to implement this section.