

SENATE FILE NO. SF0101

Unemployment compensation exemption-seasonal employment.

Sponsored by: Senator(s) Hicks, Driskill and Kinskey and
Representative(s) Laursen, Lindholm, Madden
and Sweeney

A BILL

for

1 AN ACT relating to unemployment insurance; establishing a
2 system for employers to exempt seasonal employees from
3 coverage under the unemployment insurance system; requiring
4 rulemaking; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 27-3-110 is created to read:

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10 **27-3-110. Exemption for seasonal employment.**

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12 An employer may exempt an employee engaged in seasonal
13 employment from coverage under this article. Notice of an
14 employer's exemption of an employee under this section
15 shall be provided to the employee in writing prior to the

1 employee's acceptance of seasonal employment. No employer
2 shall exempt an employee under this section during any
3 period the employee is actively engaged in seasonal
4 employment. The department shall promulgate rules and
5 regulations to implement this section. The rules shall
6 establish a system for employers to notify the department
7 of exemptions made pursuant to this section.

8

9 **Section 2.** W.S. 27-3-102(a) by creating a new
10 paragraph (xxv) and by renumbering (xxv) as (xxvi),
11 27-3-108(a) by creating a new paragraph (xiv) and 27-3-306
12 by creating a new subsection (f) are amended to read:

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14 **27-3-102. Definitions generally.**

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16 (a) As used in this act:

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18 (xxv) "Seasonal employment" means service within
19 an industry which employs workers only during a regularly
20 recurring period or periods of fewer than twenty (20) weeks
21 in a twelve (12) month period. Seasonal employment does not
22 include agricultural labor as defined in W.S. 27-3-107;

23

1 ~~(xxv)~~ (xxvi) "This act" means W.S. 27-3-101
2 through 27-3-706.

3

4 **27-3-108. Services excluded from scope of employment.**

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6 (a) Employment under this act does not include
7 service performed:

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9 (xiv) As seasonal employment, if the service is
10 exempted from this article pursuant to W.S. 27-3-110.

11

12 **27-3-306. Eligibility requirements; waiver or**
13 **amendment authorized; unemployed waiting period;**
14 **registration and referral for suitable work.**

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16 (f) Wages earned through seasonal employment exempted
17 from this article pursuant to W.S. 27-3-110 shall not be
18 used to satisfy the wage requirements of subsection (d) of
19 this section.

20

21 **Section 3.** This act is effective July 1, 2017.

22

23

(END)