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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 1@ Unemployment and Disability Compensation

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Part 1@ Unemployment Compensation

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Chapter 5@ UNEMPLOYMENT COMPENSATION BENEFITS

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Article 2.4@ WORK SHARING UNEMPLOYMENT INSURANCE BENEFITS

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Section 1279.5-1@ Definitions

1279.5-1 Definitions

The following definitions apply to the regulations in this article and Unemployment Insurance Code section 1279.5 .

(a)

"Affected work unit" means the entire work force or unit(s) within the total work force that are assigned by the work sharing employer to participate in the work sharing program.

(b)

"Application" means the work sharing plan application submitted by an employer to the department.

(c)

"Certification" means the work sharing certification which the work sharing employer issues to the employee so that the employee may file a claim for work sharing benefits.

(d)

"Normal weekly wages" means the wages earned in a week that the employee would usually earn from the work sharing employer if there was no reduction in wages or hours due to work sharing, or wages earned for 40 hours, whichever is less.

(e)

"Normal weekly hours of work" are either those hours an employee in the same

position or job classification would have worked for the work sharing employer, if there had been no reduction in hours due to work sharing, or 40 hours, whichever is less.

(f)

"Week" means the work sharing employer's payroll week. If the work sharing employer does not pay wages on a weekly basis, a "week" shall be a seven consecutive day period beginning at 12:01 a.m. Sunday and ending at midnight the following Saturday.

(g)

"Work sharing benefits" means the unemployment insurance benefits payable under the provisions of Section 1279.5 of the Unemployment Insurance Code.

(h)

"Work sharing employer" means the employer participating in the work sharing program.

(i)

"Work sharing plan" means all the information submitted by the employer in the application to the department for participation in the work sharing program.
(Refer to Section 1279.5-2 of these regulations for the required information.)

(j)

"Work sharing program" means the program described in Section 1279.5 of the Unemployment Insurance Code which provides employers with an alternative to layoffs and their employees with the payment of reduced unemployment insurance benefits.

(k)

"First contact date" means the date of the first contact between the department and the work sharing employer with regard to an application to participate in the

work sharing program.

(I)

"Regular employer" means (for work sharing purposes) the employer responsible for the following: (1) Payment of wages, (2) Withholding and payment of tax contributions, (3) Determining the individual's normal weekly hours of work, (4) Determining the individual's normal weekly wages, (5) Reduction of the individual's normal weekly hours of work, and (6) Reduction of the individual's normal weekly wages.

(1)

Payment of wages,

(2)

Withholding and payment of tax contributions,

(3)

Determining the individual's normal weekly hours of work,

(4)

Determining the individual's normal weekly wages,

(5)

Reduction of the individual's normal weekly hours of work, and

(6)

Reduction of the individual's normal weekly wages.