

1 forth in this paragraph and based on wages paid prior to the date
2 of (i) the leaving of work by the claimant without good cause
3 attributable to the employer; (ii) the discharge of claimant for
4 misconduct in connection with his work; (iii) the discharge of
5 the claimant for substantial fault as that term may be defined in
6 G.S. 96-14; (iv) the discharge of the claimant solely for a bona
7 fide inability to do the work for which he was hired but only
8 where the claimant was hired pursuant to a job order placed
9 with a local office of the Commission for referrals to
10 probationary employment (with a probationary period no longer
11 than 100 days), which job order was placed in such
12 circumstances and which satisfies such conditions as the
13 Commission may by regulation prescribe and only to the extent
14 of the wages paid during such probationary employment;
15 claimant's period of employment was 100 days or less; (v)
16 separations made disqualifying under G.S. 96-14(2b) and (6a);
17 (vi) separation due to leaving for disability or health condition;
18 or (vii) separation of claimant solely as the result of an undue
19 family hardship; ~~or (viii) separation of claimant solely for a~~
20 ~~bona fide inability to do the work for which the claimant was~~
21 ~~hired, but only where the claimant in the last calendar quarter~~
22 ~~preceding the quarter in which the claimant was paid wages by~~
23 ~~the employer was a recipient of Work First Program assistance~~
24 ~~by an agency of the State and the claimant's period of~~
25 ~~employment was 100 days or less, shall not be charged to the~~
26 ~~account of the employer by whom the claimant was employed~~
27 ~~at the time of such separation;~~ provided, however, said
28 employer promptly furnishes the Commission with such notices
29 regarding any separation of the individual from work as are or
30 may be required by the regulations of the Commission.

31 No benefit charges shall be made to the account of any
32 employer who has furnished work to an individual who,
33 because of the loss of employment with one or more other
34 employers, becomes eligible for partial benefits while still being
35 furnished work by such employer on substantially the same
36 basis and substantially the same amount as had been made
37 available to such individual during his base period whether the
38 employments were simultaneous or successive; provided, that
39 such employer makes a written request for noncharging of
40 benefits in accordance with Commission regulations and
41 procedures.

42 No benefit charges shall be made to the account of any
43 employer for benefit years ending on or before June 30, 1992,

1 where benefits were paid as a result of a discharge due directly
2 to the reemployment of a veteran mandated by the Veteran's
3 Reemployment Rights Law, 38 USCA § 2021, et seq.

4 No benefit charges shall be made to the account of any
5 employer where benefits are paid as a result of a decision by an
6 Adjudicator, Appeals Referee or the Commission if such
7 decision to pay benefits is ultimately reversed; nor shall any
8 such benefits paid be deemed to constitute an overpayment
9 under G.S. 96-18(g)(2), the provisions thereof notwithstanding.
10 Provided, an overpayment of benefits paid shall be established
11 in order to provide for the waiting period required by G.S.
12 96-13(c)."

13 **SECTION 6.** Sections 3 and 4 of this act become effective September 1,
14 2001, and apply to unemployment insurance claims filed on or after that date. The
15 remainder of this act is effective when it becomes law.