

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SENATE BILL 894
RATIFIED BILL**

AN ACT TO AMEND THE EMPLOYMENT SECURITY LAWS RELATING TO THE DEFINITION OF SUBSTITUTE TEACHER AND OTHER SCHOOL-RELATED POSITIONS IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS AND RELATING TO DISQUALIFICATION FOR BENEFITS DUE TO INABILITY TO OBTAIN A LICENSE OR CERTIFICATION NECESSARY FOR THE PERFORMANCE OF AN INDIVIDUAL'S EMPLOYMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 96-8(6)k. is amended by adding the following new sub-subdivisions to read:

- "21. Service performed by a substitute teacher or other substitute employee for a public, charter, or private school unless the individual was employed as a full-time substitute. For the purposes of this sub-subdivision only, an individual is employed as a full-time substitute when employed to work at least 30 hours per week over at least six consecutive months of a school year.
22. Performance of extra duties for a public, charter, or private school, such as coaching athletics, acting as a choral director, or other extra duties."

SECTION 2. G.S. 96-8(10)e. is repealed.

SECTION 3. G.S. 96-14(2b) reads as rewritten:

"(2b) For the duration of ~~his~~ the individual's unemployment beginning with the first day of the first week during which or after the disqualifying act occurs with respect to which week an individual files a claim for benefits if it is determined by the Commission that the individual is, at the time such claim is filed, unemployed because the individual has been discharged from employment because a license, certificate, permit, bond, or surety that is necessary for the performance of ~~his~~ the individual's employment and that the individual is responsible to supply has been revoked, suspended, or otherwise lost to ~~him~~, the individual, or ~~his~~ the individual's ability to successfully apply or the individual's application therefor has been lost or denied for a cause that was within his the individual's power to control, guard against, or prevent. No showing of misconduct connected with the work or substantial fault connected with the work not rising to the level of misconduct shall be required in order for an individual to be disqualified for benefits under this subdivision."



SECTION 4. This act becomes effective October 1, 2009, and applies to claims filed on or after that date.

In the General Assembly read three times and ratified this the 5th day of August, 2009.

Walter H. Dalton
President of the Senate

Joe Hackney
Speaker of the House of Representatives

Beverly E. Perdue
Governor

Approved _____m. this _____ day of _____, 2009