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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1597 Session of  
2017

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INTRODUCED BY JAMES, V. BROWN, DRISCOLL, ENGLISH, GILLEN, HELM,  
MENTZER, MILLARD, NEILSON, PASHINSKI, PICKETT, RAPP, ROEBUCK,  
RYAN, SCHWEYER AND WARD, JUNE 21, 2017

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JUNE 21, 2017

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AN ACT

1 Amending the act of December 5, 1936 (2nd Sp.Sess., 1937  
2 P.L.2897, No.1), entitled "An act establishing a system of  
3 unemployment compensation to be administered by the  
4 Department of Labor and Industry and its existing and newly  
5 created agencies with personnel (with certain exceptions)  
6 selected on a civil service basis; requiring employers to  
7 keep records and make reports, and certain employers to pay  
8 contributions based on payrolls to provide moneys for the  
9 payment of compensation to certain unemployed persons;  
10 providing procedure and administrative details for the  
11 determination, payment and collection of such contributions  
12 and the payment of such compensation; providing for  
13 cooperation with the Federal Government and its agencies;  
14 creating certain special funds in the custody of the State  
15 Treasurer; and prescribing penalties," in determination of  
16 compensation, appeals, reviews and procedure, further  
17 providing for determination of compensation appeals and for  
18 decision of referee and further appeals and reviews.

19 The General Assembly of the Commonwealth of Pennsylvania  
20 hereby enacts as follows:

21 Section 1. Section 501(e) of the act of December 5, 1936  
22 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment  
23 Compensation Law, is amended to read:

24 Section 501. Determination of Compensation Appeals.--\* \* \*

25 (e) Unless the claimant or last employer or base-year

1 employer of the claimant files an appeal with the board, from  
2 the determination contained in any notice required to be  
3 furnished by the department under section five hundred and one  
4 (a), (c) and (d), within [fifteen] twenty-one calendar days  
5 after such notice was delivered to him personally, or was mailed  
6 to his last known post office address, and applies for a  
7 hearing, such determination of the department, with respect to  
8 the particular facts set forth in such notice, shall be final  
9 and compensation shall be paid or denied in accordance  
10 therewith.

11 Section 2. Section 502 of the act, amended November 3, 2016  
12 (P.L.1100, No.144), is amended to read:

13 Section 502. Decision of Referee; Further Appeals and  
14 Reviews.--Where an appeal from the determination or revised  
15 determination, as the case may be, of the department is taken, a  
16 referee shall, after affording the parties and the department  
17 reasonable opportunity for a fair hearing, affirm, modify, or  
18 reverse such findings of fact and the determination or revised  
19 determination, as the case may be, of the department as to him  
20 shall appear just and proper. The parties and their attorneys or  
21 other representatives of record and the department shall be duly  
22 notified of the time and place of a referee's hearing and of the  
23 referee's decision, and the reasons therefor, which shall be  
24 deemed the final decision of the board, unless an appeal is  
25 filed therefrom, within [fifteen] twenty-one days after the date  
26 of such decision the board acts on its own motion, to review the  
27 decision of the referee. The testimony at any hearing before a  
28 referee shall be taken by a recording device and be preserved  
29 for a period of ninety days following expiration of the period  
30 for filing an appeal from the final decision rendered in the

1 case. An unabridged transcript and audio recording of the  
2 testimony shall be made available, at cost if not used for  
3 unemployment compensation purposes or a subsequent appeal, to  
4 the parties and their attorneys or other representatives upon  
5 written request to the referee.

6 Section 3. This act shall take effect in 60 days.