

ASSEMBLY, No. 3422

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Concerns eligibility for unemployment insurance benefits for crossing guards.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning eligibility for unemployment insurance benefits
2 and amending P.L.1979, c.82 and R.S.43:21-4.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 P.L.1979, c.82 (C.40A:9-154.1) is amended to
8 read as follows:

9 1. The governing body, or the chief executive, or the chief
10 administrative officer, as appropriate to the form of government of
11 any municipality, may appoint adult school crossing guards for
12 terms not exceeding one year and revoke such appointments for
13 cause and after proper hearing before the chief of police or other
14 chief law enforcement officer of the municipality. An individual
15 appointed as an adult school crossing guard shall have reasonable
16 assurance to perform those services in the next succeeding term of
17 appointment, unless notified that appointment will not be offered on
18 or before May 15 in each year by receipt of a written notice from
19 the governing body, or the chief executive, or the chief
20 administrative officer responsible for the appointment of adult
21 school crossing guards in any municipality. An adult school
22 crossing guard who has not received this written notice shall not be
23 eligible to receive unemployment insurance benefits for weeks of
24 unemployment between two successive academic years or terms of
25 appointment, or for any week of unemployment which commences
26 during an established and customary vacation period or holiday
27 recess, pursuant to subsection (g) of R.S.43:21-4. No person shall
28 be appointed as an adult school crossing guard unless he:

- 29 a. Is a citizen and resident of this State;
30 b. Is sound in body and of good health;
31 c. Is of good moral character; and
32 d. Has not been convicted of any criminal offense involving
33 moral turpitude.

34 An adult school crossing guard may be a member of the police
35 department or force of the municipality and his powers and duties
36 as an adult school crossing guard shall cease at the expiration of the
37 term for which he was appointed. He shall not have the right to
38 bear firearms or the power of arrest unless the crossing guard is also
39 a member of a police department or force.

40 Every adult school crossing guard shall be under the supervision
41 and direction of the chief of police or other chief law enforcement
42 officer of the municipality wherein he is appointed and shall
43 perform his duties only in such municipality. He shall comply with
44 the rules and regulations applicable to the conduct and decorum of
45 the regular police officers of the municipality. Before any adult

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 school crossing guard is appointed the chief of police shall ascertain
2 the eligibility of the applicant and make a report to the governing
3 body, or the chief executive or chief administrative officer, as the
4 case may be.

5 (cf: P.L.1996, c.113, s.15)

6
7 2. R.S.43:21-4 is amended to read as follows:

8 43:21-4. Benefit eligibility conditions. An unemployed
9 individual shall be eligible to receive benefits with respect to any
10 week eligible only if:

11 (a) The individual has filed a claim at an unemployment
12 insurance claims office and thereafter continues to report at an
13 employment service office or unemployment insurance claims
14 office, as directed by the division in accordance with such
15 regulations as the division may prescribe, except that the division
16 may, by regulation, waive or alter either or both of the requirements
17 of this subsection as to individuals attached to regular jobs, and as
18 to such other types of cases or situations with respect to which the
19 division finds that compliance with such requirements would be
20 oppressive, or would be inconsistent with the purpose of this act;
21 provided that no such regulation shall conflict with subsection (a) of
22 R.S.43:21-3.

23 (b) The individual has made a claim for benefits in accordance
24 with the provisions of subsection (a) of R.S.43:21-6.

25 (c) (1) The individual is able to work, and is available for
26 work, and has demonstrated to be actively seeking work, except as
27 hereinafter provided in this subsection or in subsection (f) of this
28 section.

29 (2) The director may modify the requirement of actively seeking
30 work if such modification of this requirement is warranted by
31 economic conditions.

32 (3) No individual, who is otherwise eligible, shall be deemed
33 ineligible, or unavailable for work, because the individual is on
34 vacation, without pay, during said week, if said vacation is not the
35 result of the individual's own action as distinguished from any
36 collective action of a collective bargaining agent or other action
37 beyond the individual's control.

38 (4) (A) Subject to such limitations and conditions as the
39 division may prescribe, an individual, who is otherwise eligible,
40 shall not be deemed unavailable for work or ineligible because the
41 individual is attending a training program approved for the
42 individual by the division to enhance the individual's employment
43 opportunities or because the individual failed or refused to accept
44 work while attending such program.

45 (B) For the purpose of this paragraph (4), any training program
46 shall be regarded as approved by the division for the individual if
47 the program and the individual meet the following requirements:

1 (i) The training is for a labor demand occupation and is likely to
2 enhance the individual's marketable skills and earning power,
3 except that the training may be for an occupation other than a labor
4 demand occupation if the individual is receiving short-time benefits
5 pursuant to the provisions of P.L.2011, c.154 (C.43:21-20.3 et al.)
6 and the training is necessary to prevent a likely loss of jobs;

7 (ii) The training is provided by a competent and reliable private
8 or public entity approved by the Commissioner of Labor and
9 Workforce Development pursuant to the provisions of section 8 of
10 the "1992 New Jersey Employment and Workforce Development
11 Act," P.L.1992, c.43 (C.34:15D-8);

12 (iii) The individual can reasonably be expected to complete the
13 program, either during or after the period of benefits;

14 (iv) The training does not include on the job training or other
15 training under which the individual is paid by an employer for work
16 performed by the individual during the time that the individual
17 receives benefits; and

18 (v) The individual enrolls in vocational training, remedial
19 education or a combination of both on a full-time basis, except that
20 the training or education may be on a part-time basis if the
21 individual is receiving short-time benefits pursuant to the provisions
22 of P.L.2011, c.154 (C.43:21-20.3 et al.).

23 (C) If the requirements of subparagraph (B) of this paragraph (4)
24 are met, the division shall not withhold approval of the training
25 program for the individual for any of the following reasons:

26 (i) The training includes remedial basic skills education
27 necessary for the individual to successfully complete the vocational
28 component of the training;

29 (ii) The training is provided in connection with a program under
30 which the individual may obtain a college degree, including a post-
31 graduate degree;

32 (iii) The length of the training period under the program; or

33 (iv) The lack of a prior guarantee of employment upon
34 completion of the training.

35 (D) For the purpose of this paragraph (4), "labor demand
36 occupation" means an occupation for which there is or is likely to
37 be an excess of demand over supply for adequately trained workers,
38 including, but not limited to, an occupation designated as a labor
39 demand occupation by the Center for Occupational Employment
40 Information pursuant to the provisions of subsection d. of section
41 27 of P.L.2005, c.354 (C.34:1A-86).

42 (5) An unemployed individual, who is otherwise eligible, shall
43 not be deemed unavailable for work or ineligible solely by reason of
44 the individual's attendance before a court in response to a summons
45 for service on a jury.

46 (6) An unemployed individual, who is otherwise eligible, shall
47 not be deemed unavailable for work or ineligible solely by reason of
48 the individual's attendance at the funeral of an immediate family

1 member, provided that the duration of the attendance does not
2 extend beyond a two-day period.

3 For purposes of this paragraph, "immediate family member"
4 includes any of the following individuals: father, mother, mother-
5 in-law, father-in-law, grandmother, grandfather, grandchild, spouse,
6 child, child placed by the Division of Youth and Family Services in
7 the Department of Children and Families, sister or brother of the
8 unemployed individual and any relatives of the unemployed
9 individual residing in the unemployed individual's household.

10 (7) No individual, who is otherwise eligible, shall be deemed
11 ineligible or unavailable for work with respect to any week because,
12 during that week, the individual fails or refuses to accept work
13 while the individual is participating on a full-time basis in self-
14 employment assistance activities authorized by the division,
15 whether or not the individual is receiving a self-employment
16 allowance during that week.

17 (8) Any individual who is determined to be likely to exhaust
18 regular benefits and need reemployment services based on
19 information obtained by the worker profiling system shall not be
20 eligible to receive benefits if the individual fails to participate in
21 available reemployment services to which the individual is referred
22 by the division or in similar services, unless the division determines
23 that:

24 (A) The individual has completed the reemployment services; or
25 (B) There is justifiable cause for the failure to participate, which
26 shall include participation in employment and training, self-
27 employment assistance activities or other activities authorized by
28 the division to assist reemployment or enhance the marketable skills
29 and earning power of the individual and which shall include any
30 other circumstance indicated pursuant to this section in which an
31 individual is not required to be available for and actively seeking
32 work to receive benefits.

33 (9) An unemployed individual, who is otherwise eligible, shall
34 not be deemed unavailable for work or ineligible solely by reason of
35 the individual's work as a board worker for a county board of
36 elections on an election day.

37 (10) An individual who is employed by a shared work employer
38 and is otherwise eligible for benefits shall not be deemed ineligible
39 for short-time benefits because the individual is unavailable for
40 work with employers other than the shared work employer, so long
41 as:

42 (A) The individual is able to work and is available to work the
43 individual's normal full-time hours for the shared work employer;
44 or

45 (B) The individual is attending a training program which is in
46 compliance with the provisions of paragraph (4) of subsection (c) of
47 this section and the agreements and certifications required pursuant
48 to the provisions of section 2 of P.L.2011, c.154 (C.43:21-20.4).

1 (d) With respect to any benefit year commencing before January
2 1, 2002, the individual has been totally or partially unemployed for
3 a waiting period of one week in the benefit year which includes that
4 week. When benefits become payable with respect to the third
5 consecutive week next following the waiting period, the individual
6 shall be eligible to receive benefits as appropriate with respect to
7 the waiting period. No week shall be counted as a week of
8 unemployment for the purposes of this subsection:

9 (1) If benefits have been paid, or are payable with respect
10 thereto; provided that the requirements of this paragraph shall be
11 waived with respect to any benefits paid or payable for a waiting
12 period as provided in this subsection;

13 (2) If it has constituted a waiting period week under the
14 "Temporary Disability Benefits Law," P.L.1948, c.110 (C.43:21-25
15 et al.);

16 (3) Unless the individual fulfills the requirements of subsections
17 (a) and (c) of this section;

18 (4) If with respect thereto, claimant was disqualified for benefits
19 in accordance with the provisions of subsection (d) of R.S.43:21-5.

20 The waiting period provided by this subsection shall not apply to
21 benefit years commencing on or after January 1, 2002. An
22 individual whose total benefit amount was reduced by the
23 application of the waiting period to a claim which occurred on or
24 after January 1, 2002 and before the effective date of
25 P.L.2002, c.13, shall be permitted to file a claim for the additional
26 benefits attributable to the waiting period in the form and manner
27 prescribed by the division, but not later than the 180th day
28 following the effective date of P.L.2002, c.13 unless the division
29 determines that there is good cause for a later filing.

30 (e) (1) (Deleted by amendment, P.L.2001, c.17).

31 (2) (Deleted by amendment, P.L.2008, c.17).

32 (3) (Deleted by amendment, P.L.2008, c.17).

33 (4) With respect to benefit years commencing on or after
34 January 7, 2001, except as otherwise provided in paragraph (5) of
35 this subsection, the individual has, during his base year as defined
36 in subsection (c) of R.S.43:21-19:

37 (A) Established at least 20 base weeks as defined in paragraphs
38 (2) and (3) of subsection (t) of R.S.43:21-19; or

39 (B) If the individual has not met the requirements of
40 subparagraph (A) of this paragraph (4), earned remuneration not
41 less than an amount 1,000 times the minimum wage in effect
42 pursuant to section 5 of P.L.1966, c.113 (C.34:11-56a4) on October
43 1 of the calendar year preceding the calendar year in which the
44 benefit year commences, which amount shall be adjusted to the next
45 higher multiple of \$100 if not already a multiple thereof.

46 (5) With respect to benefit years commencing on or after
47 January 7, 2001, notwithstanding the provisions of paragraph (4) of
48 this subsection, an unemployed individual claiming benefits on the

1 basis of service performed in the production and harvesting of
2 agricultural crops shall, subject to the limitations of subsection (i)
3 of R.S.43:21-19, be eligible to receive benefits if during his base
4 year, as defined in subsection (c) of R.S.43:21-19, the individual:

5 (A) Has established at least 20 base weeks as defined in
6 paragraphs (2) and (3) of subsection (t) of R.S.43:21-19; or

7 (B) Has earned remuneration not less than an amount 1,000
8 times the minimum wage in effect pursuant to section 5 of
9 P.L.1966, c.113 (C.34:11-56a4) on October 1 of the calendar year
10 preceding the calendar year in which the benefit year commences,
11 which amount shall be adjusted to the next higher multiple of \$100
12 if not already a multiple thereof; or

13 (C) Has performed at least 770 hours of service in the
14 production and harvesting of agricultural crops.

15 (6) The individual applying for benefits in any successive
16 benefit year has earned at least six times his previous weekly
17 benefit amount and has had four weeks of employment since the
18 beginning of the immediately preceding benefit year. This
19 provision shall be in addition to the earnings requirements specified
20 in paragraph (4) or (5) of this subsection, as applicable.

21 (f) (1) The individual has suffered any accident or sickness not
22 compensable under the workers' compensation law, R.S.34:15-1 et
23 seq. and resulting in the individual's total disability to perform any
24 work for remuneration, and would be eligible to receive benefits
25 under this chapter (R.S.43:21-1 et seq.) (without regard to the
26 maximum amount of benefits payable during any benefit year)
27 except for the inability to work and has furnished notice and proof
28 of claim to the division, in accordance with its rules and
29 regulations, and payment is not precluded by the provisions of
30 R.S.43:21-3(d); provided, however, that benefits paid under this
31 subsection (f) shall be computed on the basis of only those base
32 year wages earned by the claimant as a "covered individual," as
33 defined in subsection (b) of section 3 of P.L.1948, c.110 (C.43:21-
34 27); provided further that no benefits shall be payable under this
35 subsection to any individual:

36 (A) For any period during which such individual is not under the
37 care of a legally licensed physician, dentist, optometrist, podiatrist,
38 practicing psychologist, advanced practice nurse, or chiropractor,
39 who, when requested by the division, shall certify within the scope
40 of the practitioner's practice, the disability of the individual, the
41 probable duration thereof, and, where applicable, the medical facts
42 within the practitioner's knowledge;

43 (B) (Deleted by amendment, P.L.1980, c.90.)

44 (C) For any period of disability due to willfully or intentionally
45 self-inflicted injury, or to injuries sustained in the perpetration by
46 the individual of a crime of the first, second or third degree;

47 (D) For any week with respect to which or a part of which the
48 individual has received or is seeking benefits under any

1 unemployment compensation or disability benefits law of any other
2 state or of the United States; provided that if the appropriate agency
3 of such other state or the United States finally determines that the
4 individual is not entitled to such benefits, this disqualification shall
5 not apply;

6 (E) For any week with respect to which or part of which the
7 individual has received or is seeking disability benefits under the
8 "Temporary Disability Benefits Law," P.L.1948, c.110 (C.43:21-25
9 et al.);

10 (F) For any period of disability commencing while such
11 individual is a "covered individual," as defined in subsection (b) of
12 section 3 of the "Temporary Disability Benefits Law,"
13 P.L.1948, c.110 (C.43:21-27).

14 (2) The individual is taking family temporary disability leave to
15 provide care for a family member with a serious health condition or
16 to be with a child during the first 12 months after the child's birth or
17 placement of the child for adoption or as a foster child with the
18 individual, and the individual would be eligible to receive benefits
19 under R.S.43:21-1 et seq. (without regard to the maximum amount
20 of benefits payable during any benefit year) except for the
21 individual's unavailability for work while taking the family
22 temporary disability leave, and the individual has furnished notice
23 and proof of claim to the division, in accordance with its rules and
24 regulations, and payment is not precluded by the provisions of
25 R.S.43:21-3(d) provided, however, that benefits paid under this
26 subsection (f) shall be computed on the basis of only those base
27 year wages earned by the claimant as a "covered individual," as
28 defined in subsection (b) of section 3 of P.L.1948, c.110 (C.43:21-
29 27); provided further that no benefits shall be payable under this
30 subsection to any individual:

31 (A) For any week with respect to which or a part of which the
32 individual has received or is seeking benefits under any
33 unemployment compensation or disability benefits law of any other
34 state or of the United States; provided that if the appropriate agency
35 of such other state or the United States finally determines that the
36 individual is not entitled to such benefits, this disqualification shall
37 not apply;

38 (B) For any week with respect to which or part of which the
39 individual has received or is seeking disability benefits for a
40 disability of the individual under the "Temporary Disability
41 Benefits Law," P.L.1948, c.110 (C.43:21-25 et al.);

42 (C) For any period of family temporary disability leave
43 commencing while the individual is a "covered individual," as
44 defined in subsection (b) of section 3 of the "Temporary Disability
45 Benefits Law," P.L.1948, c.110 (C.43:21-27); or

46 (D) For any period of family temporary disability leave for a
47 serious health condition of a family member of the claimant during
48 which the family member is not receiving inpatient care in a

1 hospital, hospice, or residential medical care facility and is not
2 subject to continuing medical treatment or continuing supervision
3 by a health care provider, who, when requested by the division,
4 shall certify within the scope of the provider's practice, the serious
5 health condition of the family member, the probable duration
6 thereof, and, where applicable, the medical facts within the
7 provider's knowledge.

8 (3) Benefit payments under this subsection (f) shall be charged
9 to and paid from the State disability benefits fund established by the
10 "Temporary Disability Benefits Law," P.L.1948, c.110 (C.43:21-25
11 et al.), and shall not be charged to any employer account in
12 computing any employer's experience rate for contributions payable
13 under this chapter.

14 (g) Benefits based on service in employment defined in
15 subparagraphs (B) and (C) of R.S.43:21-19 (i)(1) shall be payable
16 in the same amount and on the terms and subject to the same
17 conditions as benefits payable on the basis of other service subject
18 to the "unemployment compensation law"; except that,
19 notwithstanding any other provisions of the "unemployment
20 compensation law":

21 (1) With respect to service performed after December 31, 1977,
22 in an instructional research, or principal administrative capacity for
23 an educational institution, benefits shall not be paid based on such
24 services for any week of unemployment commencing during the
25 period between two successive academic years, or during a similar
26 period between two regular terms, whether or not successive, or
27 during a period of paid sabbatical leave provided for in the
28 individual's contract, to any individual if such individual performs
29 such services in the first of such academic years (or terms) and if
30 there is a contract or a reasonable assurance that such individual
31 will perform services in any such capacity for any educational
32 institution in the second of such academic years or terms;

33 (2) With respect to weeks of unemployment beginning after
34 September 3, 1982, on the basis of service performed in any other
35 capacity for an educational institution, benefits shall not be paid on
36 the basis of such services to any individual for any week which
37 commences during a period between two successive academic years
38 or terms if such individual performs such services in the first of
39 such academic years or terms and there is a reasonable assurance
40 that such individual will perform such services in the second of
41 such academic years or terms, except that if benefits are denied to
42 any individual under this paragraph (2) and the individual was not
43 offered an opportunity to perform these services for the educational
44 institution for the second of any academic years or terms, the
45 individual shall be entitled to a retroactive payment of benefits for
46 each week for which the individual filed a timely claim for benefits
47 and for which benefits were denied solely by reason of this clause;

1 (3) With respect to those services described in paragraphs (1)
2 and (2) above, benefits shall not be paid on the basis of such
3 services to any individual for any week which commences during
4 an established and customary vacation period or holiday recess if
5 such individual performs such services in the period immediately
6 before such vacation period or holiday recess, and there is a
7 reasonable assurance that such individual will perform such
8 services in the period immediately following such period or holiday
9 recess;

10 (4) With respect to any services described in paragraphs (1) and
11 (2) above, benefits shall not be paid as specified in paragraphs (1),
12 (2), and (3) above to any individual who performed those services
13 in an educational institution while in the employ of an educational
14 service agency, and for this purpose the term "educational service
15 agency" means a governmental agency or governmental entity
16 which is established and operated exclusively for the purpose of
17 providing those services to one or more educational institutions.

18 (5) With respect to weeks of unemployment beginning after
19 June 30, 2012, on the basis of service performed as an adult school
20 crossing guard, pursuant to P.L.1979, c.82 (C.40A:9-154.1 et seq.),
21 in the employ of any municipality, benefits shall not be paid on the
22 basis of those services to any individual for any week which
23 commences during a period between two successive academic years
24 or terms of appointment, as determined by the municipality that
25 appointed the individual pursuant to section 1 of P.L.1979, c.82
26 (C.40A:9-154.1), if the individual performs those services in the
27 first of such academic years or appointment terms and there is a
28 reasonable assurance that the individual will perform those services
29 in the second of such academic years or appointment terms, except
30 that if benefits are denied to any individual under this paragraph (5)
31 and the individual was not offered an opportunity to perform these
32 services for the municipality for the second of any academic years
33 or appointment terms, the individual shall be entitled to a
34 retroactive payment of benefits for each week for which the
35 individual filed a timely claim for benefits and for which benefits
36 were denied solely by reason of this clause;

37 (6) With respect to the services described in paragraph (5)
38 above, benefits shall not be paid on the basis of those services to
39 any individual for any week which commences during an
40 established and customary vacation period or holiday recess if such
41 individual performs those services in the period immediately before
42 the vacation period or holiday recess, and there is a reasonable
43 assurance that the individual will perform those services in the
44 period immediately following the vacation period or holiday recess.

45 (h) Benefits shall not be paid to any individual on the basis of
46 any services, substantially all of which consist of participating in
47 sports or athletic events or training or preparing to so participate,
48 for any week which commences during the period between two

1 successive sports seasons (or similar periods) if such individual
2 performed such services in the first of such seasons (or similar
3 periods) and there is a reasonable assurance that such individual
4 will perform such services in the later of such seasons (or similar
5 periods).

6 (i) (1) Benefits shall not be paid on the basis of services
7 performed by an alien unless such alien is an individual who was
8 lawfully admitted for permanent residence at the time the services
9 were performed and was lawfully present for the purpose of
10 performing the services or otherwise was permanently residing in
11 the United States under color of law at the time the services were
12 performed (including an alien who is lawfully present in the United
13 States as a result of the application of the provisions of section
14 212(d)(5) (8 U.S.C. s.1182 (d)(5)) of the Immigration and
15 Nationality Act (8 U.S.C. s.1101 et seq.)); provided that any
16 modifications of the provisions of section 3304(a)(14) of the
17 Federal Unemployment Tax Act (26 U.S.C. s. 3304 (a) (14)) as
18 provided by Pub.L.94-566, which specify other conditions or other
19 effective dates than stated herein for the denial of benefits based on
20 services performed by aliens and which modifications are required
21 to be implemented under State law as a condition for full tax credit
22 against the tax imposed by the Federal Unemployment Tax Act,
23 shall be deemed applicable under the provisions of this section.

24 (2) Any data or information required of individuals applying for
25 benefits to determine whether benefits are not payable to them
26 because of their alien status shall be uniformly required from all
27 applicants for benefits.

28 (3) In the case of an individual whose application for benefits
29 would otherwise be approved, no determination that benefits to such
30 individual are not payable because of alien status shall be made
31 except upon a preponderance of the evidence.

32 (j) Notwithstanding any other provision of this chapter, the
33 director may, to the extent that it may be deemed efficient and
34 economical, provide for consolidated administration by one or more
35 representatives or deputies of claims made pursuant to subsection
36 (f) of this section with those made pursuant to Article III (State
37 plan) of the "Temporary Disability Benefits Law," P.L.1948, c.110
38 (C.43:21-25 et al.).

39 (cf: P.L.2019, c.37, s.5)

40
41 3. This act shall take effect immediately.
42
43

44 STATEMENT

45
46 This bill alters the benefit eligibility conditions of unemployment
47 insurance for adult school crossing guards. The bill provides that
48 for weeks of unemployment beginning after June 30, 2012, an

1 individual employed as an adult school crossing guard, pursuant to
2 P.L.1979, c.82 (C.40A:9-154.1 et seq.), will not receive
3 unemployment insurance benefits for any week which commences
4 during a period between two successive academic years or terms of
5 employment, as determined by the municipality that employs the
6 individual, if the individual performs those services in the first of
7 such academic years or terms of employment and there is a
8 reasonable assurance that the individual will perform those services
9 in the second of such academic years or terms.

10 The bill also provides that an adult school crossing guard will be
11 ineligible for benefits for any week which commences during an
12 established and customary vacation period or holiday recess if the
13 individual performs those services in the period immediately before
14 a vacation period or holiday recess and there is a reasonable
15 assurance that the individual will perform those services in the
16 period immediately following a vacation period or holiday recess.

17 Finally, the bill provides that adult school crossing guards will
18 have a reasonable assurance to employment over successive terms
19 of appointment, unless notified that appointment will not be offered
20 on or before May 15 in each year by receipt of a written notice from
21 the governing body, or the chief executive, or the chief
22 administrative officer responsible for the appointment of adult
23 school crossing guards in any municipality.

24 Currently, certain adult school crossing guards are eligible for
25 unemployment insurance benefits for weeks of unemployment
26 occurring between academic school years, terms of employment,
27 and vacation periods or holiday recesses. This bill eliminates
28 eligibility for unemployment insurance for crossing guards with a
29 reasonable assurance of returning to work after such periods of
30 unemployment.