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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 274 Session of  
2025

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INTRODUCED BY DAWKINS, GROVE, SHUSTERMAN, HARKINS, HILL-EVANS,  
MARCELL, KHAN, POWELL, VENKAT, DEASY, McNEILL, CARROLL,  
FREEMAN, SCHLOSSBERG, GIRAL, MAYES, HOWARD, CERRATO, SANCHEZ,  
KENYATTA, WARREN, HOHENSTEIN, BOYD, K. HARRIS, MADSEN AND  
GREEN, JANUARY 22, 2025

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AS AMENDED ON THIRD CONSIDERATION, IN SENATE, DECEMBER 9, 2025

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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 compensation,  
16 further providing for qualifications required to secure  
17 compensation and for ineligibility for compensation,  
18 providing for eligibility related to domestic violence and  
19 further providing for rate and amount of compensation.

20 The General Assembly of the Commonwealth of Pennsylvania

21 hereby enacts as follows:

22 Section 1. Sections 401(f) and 402(a) of the act of December  
23 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the  
24 Unemployment Compensation Law, are amended to read:

1 Section 401. Qualifications Required to Secure  
2 Compensation.--Compensation shall be payable to any employe who  
3 is or becomes unemployed, and who--

4 \* \* \*

5 (f) Has earned, subsequent to his separation from work under  
6 circumstances which are disqualifying under the provisions of  
7 subsections 402(b), 402(e), 402(e.1), 402(h) and 402(k) of this  
8 act, remuneration for services in an amount equal to or in  
9 excess of [six (6)] ~~ten (10)~~ TWELVE (12) times his weekly

<--

10 benefit rate in "employment" as defined in this act. The  
11 provisions of this subsection shall not apply to a suspension of  
12 work by an individual pursuant to a leave of absence granted by  
13 his last employer, provided such individual has made a  
14 reasonable effort to return to work with such employer upon the  
15 expiration of his leave of absence.

16 \* \* \*

17 Section 402. Ineligibility for Compensation.--An employe  
18 shall be ineligible for compensation for any week--

19 (a) In which his unemployment is due to failure, without  
20 good cause, either to apply for suitable work at such time and  
21 in such manner as the department may prescribe, or to accept  
22 suitable work when offered to him by the employment office or by  
23 any employer, irrespective of whether or not such work is in  
24 "employment" as defined in this act: Provided, That such  
25 employer notifies the employment office of such offer within  
26 seven (7) days after the making thereof; however this subsection  
27 shall not cause a disqualification of a waiting week or benefits  
28 under the following circumstances: when work is offered by his  
29 employer and he is not required to accept the offer pursuant to  
30 the terms of the labor-management contract or agreement, or

pursuant to an established employer plan, program or policy:  
Provided further, That a claimant shall not be disqualified for  
refusing suitable work when he is in training approved under  
section 236(a)(1) of the Trade Act of 1974[.]: Provided further,  
that the following apply:

(1) A claimant shall make a good faith effort to obtain  
employment in suitable work. A claimant who has applied for a  
position may not take any action to unreasonably discourage the  
claimant's own hire in suitable work, including any of the  
following:

(i) Refusing to attend or failing to participate, without  
good cause, in a job interview or other applicant selection  
activity offered by the employer.

(ii) Refusing employment, or a referral for employment,  
without good cause, prior to an interview or a discussion of the  
details of a job with the employer.

(2) Within ninety (90) days of the effective date of this  
clause, the department shall create forms or update existing  
forms to enable employers to report claimants who discourage  
their own hire, as provided in this subsection. The forms shall  
include notice of the provisions of section 802 of this act.

(3) A claimant who unreasonably discourages the claimant's  
own hire in suitable work shall be considered to have refused an  
offer of work for purposes of this subsection.

(4) ANY OVERPAYMENT THAT RESULTS FROM A DISQUALIFICATION  
UNDER CLAUSE (1) SHALL BE SUBJECT TO SECTION 804(B).

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(5) THE DEPARTMENT SHALL GRANT RELIEF FROM CHARGES UNDER  
SECTION 302.1 TO BASE YEAR EMPLOYERS FOR BENEFIT CHARGES RELATED  
TO A CLAIM THAT IS DISQUALIFIED UNDER CLAUSE (1). RELIEF FROM  
CHARGES SHALL BE PROVIDED WITHOUT A REQUEST FROM THE EMPLOYER.

1     (6) IF AN EMPLOYER IS GRANTED RELIEF FROM CHARGES WITHOUT A  
2 REQUEST UNDER CLAUSE (5), THE DEPARTMENT SHALL NOTIFY THE  
3 EMPLOYER THAT RELIEF FROM CHARGES SHALL BE GRANTED WITHOUT THE  
4 NEED FOR THE EMPLOYER TO SUBMIT A REQUEST. NOTICE UNDER THIS  
5 CLAUSE MAY BE INCLUDED ON THE ELIGIBILITY DETERMINATION PROVIDED  
6 TO THE EMPLOYER OR ON OTHER RELEVANT CLAIM DOCUMENTATION  
7 DELIVERED TO THE EMPLOYER.

8     \* \* \*

9     Section 2. The act is amended by adding a section to read:

10    Section 402.7. Eligibility Related to Domestic Violence.--

11    (a) An employe shall not be deemed to be ineligible under  
12 section 402(b) for voluntarily leaving employment or section  
13 402(e) for failure to attend work if, due to a domestic violence  
14 situation, the individual's continued employment would  
15 jeopardize the safety of the individual or a member of the  
16 individual's family or household.

17    (b) Verification of a domestic violence situation may be  
18 provided on the initial application for benefits through any one  
19 of the following which documents recent domestic violence:

20    (1) An active or recently issued protective order or other  
21 order, court records, a police record, medical treatment  
22 records, social services records or child protective services  
23 records.

24    (2) A statement supporting the existence of recent domestic  
25 violence from a qualified professional from whom the individual  
26 has sought assistance, such as a counselor, shelter worker,  
27 member of the clergy, attorney or health care worker, or a  
28 similar statement from a friend or relative from whom the  
29 individual has sought assistance.

30    (3) A self-affirmation that the individual's continued

1 employment would jeopardize the safety of the individual or a  
2 member of the individual's family or household due to the  
3 domestic violence situation.

4 (4) Any other type of evidence that reasonably proves  
5 domestic violence.

6 (c) The documentation of domestic violence shall remain  
7 confidential, and the department may not disclose the existence  
8 of a domestic violence situation in any notice provided to an  
9 employer regarding the claim for compensation.

10 (d) If an individual who verifies domestic violence under  
11 subsection (b) is otherwise eligible under section 401, the  
12 individual shall be considered eligible, and the department  
13 shall expedite a determination of eligibility under section 501.

14 (e) An individual who submits a self-affirmation under  
15 subsection (b) (3) shall submit documentation of the domestic  
16 violence situation under subsection (b) (1), (2) or (4) to the  
17 department within one hundred fifty (150) days of the date of  
18 application. The department may, for good cause, excuse the  
19 requirements or extend the period in which documentation must be  
20 provided.

21 (f) The department shall grant relief from charges under  
22 section 302.1 to base year employers for benefit charges related  
23 to a claim that is determined eligible in accordance with this  
24 section. Relief from charges shall be provided without a request  
25 from the employer.

26 (g) Subject to subsection (c), if an employer is granted  
27 relief from charges without a request under subsection (f), the  
28 department shall notify the employer that relief from charges  
29 shall be granted without the need for the employer to submit a  
30 request. Notice under this subsection may be included on the

1 eligibility determination provided to the employer or on other  
2 relevant claim documentation delivered to the employer.

3 ~~Section 3. Section 404(e) (2) (v) of the act is amended to~~ <--  
4 ~~read:~~

5 SECTION 3. SECTION 404(E) (2) (V) AND (VI) OF THE ACT ARE <--  
6 AMENDED TO READ:

7 Section 404. Rate and Amount of Compensation.--Compensation  
8 shall be paid to each eligible employee in accordance with the  
9 following provisions of this section except that compensation  
10 payable with respect to weeks ending in benefit years which  
11 begin prior to the first day of January 1989 shall be paid on  
12 the basis of the provisions of this section in effect at the  
13 beginning of such benefit years.

14 \* \* \*

15 (e) \* \* \*

16 (2) \* \* \*

17 (v) If, on July 1, [2025] ~~2027~~ 2028, the trigger percentage <--  
18 determined under section 301.7(a) is less than ~~two hundred~~ <--  
19 ~~fifty per centum (250%)~~ ~~one hundred per centum (100%)~~, the <--  
20 following shall apply:

21 (A) Notwithstanding the definition of "highest quarterly  
22 wages" in subsection (b), but subject to subclause (vi),  
23 "highest quarterly wages" for purposes of this section for  
24 calendar years [2026] ~~2028~~ 2029 and thereafter shall be the <--  
25 average of the total wages (computed to the nearest dollar),  
26 which were paid to the employee computed as follows:

27 (I) The wages paid to the employee in that calendar quarter  
28 in which such total wages were highest during the base year  
29 shall be calculated.

30 (II) The amount calculated under division (I) shall be added

1 to an amount equal to one hundred thirty per centum (130%) of  
2 the wages paid to the employee in the calendar quarter in which  
3 such total wages were the second highest of any calendar quarter  
4 during the base year, provided that the amount added under this  
5 division (II) may not be greater than the wages paid to the  
6 employee during the highest calendar quarter under division (I).

7 (III) The sum calculated under division (II) shall be  
8 divided by two.

9 (B) Notwithstanding section 401(a)(2), and except as  
10 provided in subsections (a)(3) and (e)(1) and (2), section  
11 401(a) shall require that the second entry in Part A of the  
12 table for the determination of rate and amount of benefits, on  
13 the line on which there appears the employee's weekly benefit  
14 rate, does not exceed sixty-three per centum (63%) of the  
15 employee's total base year wages.

16 (C) NOTWITHSTANDING THE APPLICATION OF AN ALTERNATIVE <--  
17 CALCULATION FOR "HIGHEST QUARTERLY WAGES" REQUIRED IN THIS  
18 SUBCLAUSE, NO EMPLOYEE SHALL BE FINANCIALLY ELIGIBLE FOR  
19 COMPENSATION IF THE EMPLOYEE'S WAGES IN THE HIGHEST QUARTER OF  
20 THE EMPLOYEE'S BASE YEAR EXCEED SIXTY-THREE PER CENTUM (63%) OF  
21 THE EMPLOYEE'S TOTAL BASE YEAR WAGES.

22 (VI) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B) AND  
23 SUBCLAUSE (V) IF, ON JULY 1, [2026] ~~2028~~ 2029, OR JULY 1 OF ANY <--  
24 SUBSEQUENT YEAR, THE TRIGGER PERCENTAGE DETERMINED UNDER SECTION  
25 301.7(A) IS AT LEAST TWO HUNDRED FIFTY PER CENTUM (250%), THE  
26 FOLLOWING SHALL APPLY:

27 (A) "HIGHEST QUARTERLY WAGES" FOR THE SUBSEQUENT CALENDAR  
28 YEAR AND THEREAFTER SHALL BE DETERMINED AS PROVIDED IN  
29 SUBSECTION (B) AND NOT AS PROVIDED IN SUBCLAUSE (V).

30 (B) SECTION 401(A)(2) SHALL APPLY AND NOT SUBCLAUSE (V)(B).

1       \* \* \*

2       Section 4. The Department of Labor and Industry shall  
3 consult with the Office of Victim Advocate and relevant advocacy  
4 groups when implementing section 402.7 of the act, including  
5 updates to the application for unemployment compensation,  
6 updated notices to claimants and employers and the development  
7 of any forms related to documentation of a domestic violence  
8 situation.

9       Section 5. This act shall take effect as follows:

10           (1) The amendment of section 401(f) of the act shall  
11 take effect in one year.

12           (2) ~~The~~ EXCEPT AS PROVIDED UNDER PARAGRAPH (3), THE <--  
13 amendment of section 404(e)(2)(v) AND (VI) of the act shall <--  
14 take effect immediately.

15           (3) THE ADDITION OF SECTION 404(E)(2)(V)(C) OF THE ACT <--  
16 SHALL TAKE EFFECT IN THREE YEARS.

17           ~~(3)~~ (4) This section shall take effect immediately. <--

18           ~~(4)~~ (5) The remainder of this act shall take effect in <--  
19 60 days.