

*Subd. 3. No examination or program of studies or study course shall be required of an applicant for a license as a non-resident agent who is duly licensed as an agent or broker in the state of his residence, provided such state requires no like examination of licensed agents of this state.*

Sec. 2. *This act is effective January 1, 1968.*

Approved May 18, 1967.

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CHAPTER 573—H. F. No. 689

*An act relating to employment security; amending Minnesota Statutes 1965, Sections 268.04, Subdivisions 26 and 29; 268.06, Subdivision 8; 268.07, Subdivision 2; and 268.09, Subdivision 1.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1965, Section 268.04, Subdivision 26, is amended to read:

**Subd. 26. Employment security; disqualification of benefits; gross misconduct.** *(1) "Wage credits" mean the remuneration earned amount of wages paid and wages due and payable but not paid by or from an employer by to an employee for insured work except that with respect to wages earned paid and wages due and payable but not paid by or from an employer by to an employee for seasonal employment (as defined in section 268.07, subdivision 5), "wage credits" shall mean the proportion (computed to the next highest multiple of five percent) of the remuneration earned such wages which the customary period of operations bears to a calendar year. Wages earned in part-time employment by a student as an integral part of an occupational course of study, under a plan for vocational education accepted by the Minnesota department of education, shall not result in wage credits available for benefit purposes.*

*(2) Notwithstanding the provisions of clause (1), for the period from April 1, 1965 through June 30, 1967, "wage credits" mean the remuneration earned from an employer by an employee for insured work except that with respect to wages earned from an employer by an employee for seasonal employment (as defined in section 268.07, subdivision 5), "wage credits" shall mean the proportion (computed to the next highest multiple of five percent) of the remuneration earned which the customary period of operations bears to a calendar year. Wages earned in part-time employment by a stu-*

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*dent as an integral part of an occupational course of study, under a plan for vocational education accepted by the Minnesota department of education, shall not result in wage credits available for benefit purposes.*

(3) *The provisions of clauses (1) and (2) shall become effective July 1, 1967, but the provisions of clause (2) shall expire September 30, 1968.*

Sec. 2. Minnesota Statutes 1965, Section 268.04, subdivision 29, is amended to read:

Subd. 29. "Credit week" is any week in for which the ~~remuneration earned~~ *wages have been paid and wages are due and payable but not paid of \$26 or more by or from one or more employers by to an employee equals \$26 or more for insured work.*

Sec. 3. Minnesota Statutes 1965, Section 268.06, Subdivision 8, is amended to read:

Subd. 8. **Adjustments.** For the year ~~1966~~ *1968* and for each calendar year thereafter the commissioner shall determine the contribution rate of each employer by adding the experience ratio to the minimum rate. The minimum rate for all employers shall be seven tenths of one percent if ~~that~~ *the* amount in the unemployment compensation fund is less than ~~\$50,000,000~~ *\$70,000,000* on June 30 of the preceding calendar year; or five tenths of one percent if the fund is more than ~~\$50,000,000~~ *\$70,000,000* but less than ~~\$60,000,000~~ *\$90,000,000*; or three tenths of one percent if the fund is more than ~~\$60,000,000~~ *\$90,000,000* but less than ~~\$70,000,000~~ *\$110,000,000*; or one tenth of one percent if the fund is ~~\$70,000,000~~ *\$110,000,000* or more; provided that no employer shall have a contribution rate of more than 4 5/10 percent.

Sec. 4. Minnesota Statutes 1965, Section 268.07, Subdivision 2, is amended to read:

Subd. 2. **Maximums.** If the commissioner finds that an individual has earned ~~17~~ *18*, or more, credit weeks, and \$520 or more in wage credits, within the base period of employment in insured work with *one or more employers*, benefits shall be payable to such individual as follows:

(1) Weekly benefit amount shall be equal to 50 percent of the average weekly wage of such individual, computed to the nearest even dollar, subject to a maximum of ~~\$47~~ *\$50* per week.

(2) Benefits shall be paid weekly for a period not to exceed 70 percent of the number of credit weeks earned by such individual

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computed to the nearest even week, subject to a maximum of 26 weeks.

(3) Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less that part of his earnings, payable to him with respect to such week which is in excess of \$6. Such benefit, if not a multiple of \$1, shall be computed to the next higher multiple of \$1.

(4) The provisions of this subdivision shall apply to claims for benefits which establish a benefit year subsequent to June 30, ~~1966~~ 1967.

Sec. 5. Minnesota Statutes 1965, Section 268.09, Subdivision 1, is amended to read:

**268.09 Disqualified from benefits.** Subdivision 1. **When disqualified.** An individual shall be disqualified for benefits:

(1) If such individual voluntarily and without good cause attributable to the employer discontinued his employment with such employer or was discharged for misconduct, not amounting to gross misconduct, connected with his work or for misconduct which interferes with and adversely affects his employment, if so found by the commissioner, for not less than five nor more than eight weeks of unemployment in addition to and following the waiting period, *or was discharged for gross misconduct connected with his work or gross misconduct which interferes with and adversely affects his employment, if so found by the commissioner, for 12 weeks of unemployment in addition to and following the waiting period, which disqualification shall not be removed by subsequent employment, and provided further that the commissioner is empowered to impose a total disqualification for the benefit year and to cancel part or all of the wage credits from the last employer from whom he was so separated,* and the maximum benefit amount payable to such individual shall be reduced as follows:

(a) by an amount equal to the weekly benefit amount times the number of weeks for which such individual was disqualified, when the separation occurs as a result of discharge for misconduct;

(b) by an amount equal to two times the weekly benefit amount, when the separation occurs because of a voluntary separation as described in this clause;

(c) *by an amount equal to 12 times his weekly benefit amount, when the separation occurs as a result of a discharge for gross misconduct.*

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*For the purpose of this clause "gross misconduct" shall be defined as misconduct involving assault and battery, or an immoral act, or the malicious destruction of property or the theft of money or property of a value of \$50, or more.*

This provision shall not apply to any individual who left his employment to accept work offering substantially better conditions of work or substantially higher wages or both, or whose separation from such employment was due to serious illness of such individual.

(2) If such individual is separated from her employment because of pregnancy or voluntarily discontinues her employment for the purpose of visiting or living with her husband, or assuming the duties of a housewife; provided that such disqualification shall be removed by subsequent employment in insured work for a period of not less than six weeks.

(3) Twenty percent of the benefits paid to any individual whose separation occurs ~~under any of the conditions of the foregoing clauses of this subdivision~~ *because such individual voluntarily and without good cause attributable to the employer discontinued his employment with such employer, as provided in clause (1) of this subdivision, or who was separated from her employer because she assumed family obligations, as provided in clause (2) of this subdivision,* shall be used as benefits charged to the employer in determining the experience ratio of the employer from whose employment such individual ~~so~~ is separated, provided that ~~no~~ the employer's experience ratio shall *not* be increased by more than one-half of one percent in any 12 months period as a result of benefits charged under ~~this section clause.~~ *Benefits paid to any individual whose separation occurs because such individual was discharged for misconduct, not amounting to gross misconduct connected with his work or for misconduct which interferes with and adversely affects his employment, if so found by the commissioner, or whose separation occurs because such individual was discharged for gross misconduct, if so found by the commissioner, as provided in clause (1) of this subdivision, shall not be used as benefits charged to the employer in determining the experience ratio of the employer from whose employment such individual is separated.*

(4) If such individual's unemployment was caused by separation from employment pursuant to a rule of any employer of such individual whereby any female in the employ of any such employer shall be dismissed within a period of of 90 days after acquiring a marital status or after such marital status first becomes known to the employer all wage credits earned in such employment shall be canceled; provided, however, that:

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(a) such rule shall have been in effect and posted continuously in a conspicuous place in each establishment of the employer's place of business not less than six months immediately preceding the date on which such marital status was acquired; and

(b) such individual's wages are not the only support of herself or the main support of an immediate member of her family;

(c) such employer may re-employ such individual for a period not exceeding 90 days in any one year without invalidating the marital rule or without affecting any previous disqualification because of such rule; provided that such wage credits earned in such reemployment shall not also be canceled because of such marital rule.

~~(5) If such individual was discharged for gross misconduct, if so found by the commissioner, for 12 weeks of unemployment in addition to and following the waiting period, which disqualification shall not be removed by subsequent employment, and provided further that the commissioner is empowered to impose a total disqualification for the benefit year and to cancel part or all of the wage credits from the last employer from whom he was so separated.~~

For the purpose of this clause "gross misconduct" shall be defined as misconduct involving assault and battery, or an immoral act, or the malicious destruction of property or the theft of money or property of a value of \$50, or more.

(6) (5) If the commissioner finds that he has failed, without good cause, either to apply for available, suitable work when so directed by the employment office, or the commissioner or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the commissioner, or to actively seek employment. Such disqualification shall continue for the week in which such refusal or failure occurred and for a period of seven weeks of unemployment immediately following such refusal or failure.

(a) In determining whether or not any work is suitable for an individual, the commissioner shall consider the degree of risk involved to his health, safety, and morals, his physical fitness and prior training, his experience, his length of unemployment and prospects of securing local work in his customary occupation, and the distance of the available work from his residence.

(b) Notwithstanding any other provisions of sections 268.03 to 268.24, no work shall be deemed suitable, and benefits shall not

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be denied thereunder to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(1) if the position offered is vacant due directly to a strike, lockout, or other labor dispute;

(2) if the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(3) if as a condition of being employed the individual would be required to join a union or to resign from or refrain from joining any bona fide labor organization.

~~(7)~~ (6) If such individual has left or partially or totally lost his employment with an employer because of a strike or other labor dispute. Such disqualification shall prevail for each week during which such strike or other labor dispute is in progress at the establishment in which he is or was employed, except that this disqualification shall not act to deny any individual the right to benefits based on employment subsequent to his separation because of a strike or other labor dispute if such individual has in writing notified the employer involved in such strike or other labor dispute of his resignation and acceptance of his resignation and acceptance of other bona fide employment and provided further that such resignation is accepted by all parties to the strike or other labor dispute so that such individual is no longer considered an employee of such employer. For the purpose of this section the term "labor dispute" shall have the same definition as provided in the Minnesota labor relations act. Nothing in this ~~subsection~~ *subdivision* shall be deemed to deny benefits to any employee who becomes unemployed because of a lockout or by dismissal during the period of negotiation in any labor dispute and prior to the commencement of a strike.

~~(8)~~ (7) If such individual has, during his benefit year, refused suitable reemployment offered by a base period employer. The wage credits of such individual earned from such base period employer shall be canceled; provided that this clause shall not apply if:

(a) prior to the date designated by such employer for the reemployment of such individual, such individual has been offered and accepted work with another employing unit, and on the date such individual was to have been reemployed by such base period employer, he was actually engaged in bona fide work with another employing unit, or

(b) on the date designated for the reemployment of such individual by such base period employer, he was unable to accept such

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reemployment because of his own serious illness, except that such serious illness shall not include pregnancy or any illness resulting therefrom, or

(c) on the date designated for the reemployment of such individual by such base period employer, he was unable to accept such reemployment because either he has moved his residence or the base period employer has removed the place of employment so as to render unreasonable the distance which such individual would be required to travel in order to accept the offer of reemployment.

For the purpose of this clause, reemployment offering substantially the same or better hourly wages and conditions of work previously provided to such individual by such base period employer during the base period shall be deemed to be "suitable reemployment."

Sec. 6. *This act is effective July 1, 1967.*

Approved May 18, 1967.

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#### CHAPTER 574—H. F. No. 774

*An act relating to the Minnesota Home School for Girls; amending Minnesota Statutes 1965, Section 242.51.*

Be it enacted by the Legislature of the State of Minnesota:

Minnesota Statutes 1965, Section 242.51, is amended to read:

**242.51 Minnesota Home School; commitment of selected boys.** There is hereby created and established a separate school for the care, training, and education of girls *and certain selected boys* to be known as the "Minnesota Home School" ~~for Girls~~<sup>2</sup>, and ~~the~~ *The* provisions of ~~all~~ *chapter 242 and other applicable laws* providing for the commitment of ~~girls children~~ *girls children* to the ~~state training school for boys and girls youth conservation commission~~ *state training school* shall govern and regulate the commitment of *girls and such selected boys* to the school hereby established. All girls committed under any law relating to the commitment of girls to the state training schools shall be committed to the "Minnesota Home School" ~~for Girls~~<sup>2</sup> hereby created and established.

Approved May 18, 1967.

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