

# Provisions of North Carolina Unemployment Insurance Act

## Summary of Regulations Governing Workers and Employers in State

The North Carolina Unemployment Compensation Act was passed by the special session of the North Carolina General Assembly, called for that purpose by Governor Ehringhaus, in December, 1936, in order that this State might participate in the benefits provided under the National Social Security Act.

Benefits are to begin January 1, 1938, and are to be paid through offices of the State Employment Service. There are now 15 districts, 15 branch and 14 outpost offices in the State. The number of outpost offices will probably be increased. Through itinerant service, all 100 counties are served, either on a full or part-time basis. Benefits amount to one-half normal full-time pay, but not more than \$15 a week nor less than \$5 a week, or three-fourths of the full-time weekly pay, whichever is lesser. If a worker is partly employed any week he is to receive partial benefits, an amount equal to the difference between his weekly benefit amount and five-sixths of his partial week's pay. The full-time usual week's pay is to be used as a basis, but if that is unreasonable, arbitrary or not easily determined, the basis is to be one-thirteenth of the wages for the quarter they were highest in the base period. The maximum benefits during a benefit year are not to exceed the balance credited to the worker's account on wages earned during the base period, or 16 times his weekly benefit amount, whichever is lesser. Each worker's account is credited with one-sixth of the wages earned each quarter, or \$65, whichever is lesser. Benefits paid are charged to his account.

### Those Eligible

Those eligible for benefits are unemployed workers, if they registered for work at and continued to report at employment offices for work; if they have filed claim for benefits; if able to work and available for work; if unemployed two weeks or partially unemployed for

four weeks, not necessarily continuous. No week is counted as a total week of unemployment if benefits have been paid for that week; unless the worker is eligible; unless the week is in 13 consecutive weeks preceding the week for which he claims benefits; unless it is after benefits first could be payable to any individual under this act; unless, in the first four out of the last five completed calendar quarters immediately preceding the first day of his benefit year, he has earned wages of not less than 16 times his weekly benefit amount.

### Those Disqualified

A worker is disqualified for benefits if he left his work voluntarily without good cause, to the extent that he is penalized from one to five weeks; if he is discharged for misconduct connected with his work, the penalty is one to nine weeks; if he fails, without good cause, either to apply for available suitable work, when directed to do so by the Employment Service, or to accept suitable work offered him or return to his usual self-employment, if any, when so directed by the Commission, he is penalized one to five weeks; all such penalties in addition to the two weeks waiting period.

Suitable work is considered fit for the individual, with due regard for the risk of health, safety, morals, his physical fitness, training, experience, prior earnings, length of unemployment, prospects of local work in his customary occupation, and distance to the job. The work is not held suitable and benefits will not be denied for refusing to accept a job vacant because of a strike, lock-out or other labor dispute, or if the worker is required to join a company union or must resign from or refrain from joining a bona-fide labor union, or if the remuneration, hours or other conditions are substantially less favorable than those for similar work in the community. The worker is disqualified for benefits if he is out of work due to a labor dispute, unless he is not participating in, or financing or directly interested in the labor dispute, or if not of the grade or class of workers engaged in the labor dispute; if he is receiving remuneration in lieu of notice, compensation for disability under the Workmen's Compensation Act, or old-age benefits, unless such remuneration is less than the benefits due, and then he gets the difference.

### How Claims are Filed

Claims are to be filed as the Commission prescribes by rules and regulations which are to be posted in conspicuous places, and a copy furnished to each worker who becomes unemployed.

Contributions accrue for the year 1936 and thereafter, due from each employer subject to the act, on the basis of his pay roll, payable as the Commission may prescribe, probably quarterly (but probably with monthly pay roll reports), on the percentage of wages paid, as follows: nine-tenths of one per cent for 1936; 1.8 per cent for 1937 and 2.7 per cent for 1938 and thereafter. This fund, thus accumulated, is to be used exclusively for paying benefits, while the entire cost of administering the act is to be paid by the National Social Security Board, from the one-tenth of one per cent for 1936; two-tenths of one per cent for 1937, and three-tenths of one per cent for 1938 and thereafter, paid by the same employers to the Federal Collector of Internal Revenue.

### Individual Account

Individual accounts of each employer are to be kept by the Commission, crediting the employer with all contributions he makes. Benefits paid to eligible workers are charged against his most recent employers, in inverse chronological order of the employment, but the maximum charged against the account of any employer shall not exceed one-sixth of the wages payable to the individual, or \$65 for a calendar quarter, or portion thereof, whichever is lesser. The Commission may make rules for establishing, maintaining and dissolving joint accounts of two or more employers, as a single employer's account. An employing unit not subject to the act, or a unit in which the services are not included in

the act, may voluntarily come under the act for a period of not less than two years and may withdraw on notice given 30 days before January 1 of any year, after coming under the act, and after the two years required as a minimum.

### Administration of Act

Administration of the act is in the hands of the N. C. Unemployment Compensation Commission of three members, including the Commissioner of Labor as ex officio member, Major A. L. Fletcher, and two others, Charles G. Powell, chairman, named for six years, and Mrs. J. B. Spilman, for two years. The Commission has two divisions, the Unemployment Compensation Division, of which E. W. Price is director, and the Employment Service Division, formed in 1935, organized and directed by Mrs. May Thompson Evans. Mr. Price also acts as secretary to the Commission. The Commission is directed to make rules and regulations, general and specific, in accordance with the provisions of the act, set up an organization, determine its methods and procedure, and naming the personnel on a six months temporary basis, subject to examination to determine qualifications on a non-partisan merit basis. Officers and members of any political organization are not eligible for employment.

Employers are required to keep accurate employment records, which are to be open to the Commission's inspectors, but information is not to be made public as to individual employers.

The State Employment Service, established in 1935 and maintained with cooperative State - Federal funds, transferred to the N. C. Unemployment Compensation Commission by the act creating the Commission, is directed to establish and maintain free employment offices in such places as may be proper. At present over 40 such offices are in operation and others will be established, probably one for each county or large town, on a part or full-time basis. They are operated in cooperation with the county or city in which located on agreement, by which the local unit may contribute money, services or quarters. These offices are to seek to find employment for unemployed workers in their areas, and will be the places for the unemployed workers to report regularly, for suitable work, if available, or for benefits from the unemployment fund.

### No Fees to Be Charged

No fees are to be charged by the Commission or any of its agencies for handling claims, and fees of lawyers or agents must be approved by the Commission. Payments to unemployed workers are not subject to assignment, pledge or incumbrance and are exempt from levy, execution or attachment and debts, except debts contracted for necessities for a dependent.

Penalties for false statements to secure additional benefits range from a fine of \$20 to \$50 or imprisonment for 30 days or both; an employing unit making false statements to reduce payments, a fine of \$20 to \$200, or imprisonment for 60 days, or both.

Exempt from the provisions of the act are employing units employing less than eight persons, unless employing units voluntarily elect to come under the act; employees of the United States and North Carolina and other States, and counties, cities, towns and other governmental agencies; agricultural labor, domestic service in private homes; work for a parent, child, or spouse; work for a corporation, Community Chest or foundation organized and operated exclusively for religious, charitable, scientific, literary or educational purposes, or for prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Following are the provisions of the national social security act by divisions:

Old age benefits—Administered by National Social Security Board, paid by United States workers-employers, benefits up to \$85 per month, based on earnings; age 65 and over, benefits start Jan. 1, 1942, payments Jan. 1, 1937.

Unemployment insurance—Administered by N. C. Unemployment Insurance Commission, paid from N. C. fund from employers; benefits one-half normal wage, \$5 to \$15 per week for 16 weeks maximum,

## Jack Oakie's College Gets "No Study" Plan



YOU can tell from the picture that Jack Oakie, radio and screen comedian, has just thought of a new way to increase enrollment at his mythical Oakie Doakie College.

"What we need is a new 'no study' plan," he says. And Miss Penny, his secretary, thinks that's just too, too wonderful.

Oakie and his college are featured on Tuesday evening broadcasts over Columbia's coast-to-coast network. Benny Goodman's swing band, guest stars and best of real undergraduate musical talent selected from colleges and universities throughout the country are also contributing to the success of this sensational air show.

benefits start Jan. 1, 1938, payments Jan. 1, 1936.

Maternal and child welfare—Administered by Children's Bureau U. S. labor department and N. C. health department.

Crippled children—Administered by Children's Bureau U. S. labor department and N. C. health department.

Child welfare service—Administered by Children's Bureau U. S. labor department and N. C. welfare department. This is largely for rural and distressed areas.

Vocational rehabilitation—Administered by U. S. and N. C. educational departments, all payments by U. S., based on need.

Public health work—Administered by Surgeon general U. S. public health service and N. C. health department.

In addition to the above, there are three divisions of the social security program that will become effective in North Carolina if the General Assembly enacts the bills now before it. They are: old age assistance, dependent children and aid to the blind.

## Navy Seeks Recruits In North Carolina

Forty-four apprentice seamen and four mess attendants will be enlisted in the U. S. Navy from the Carolinas during the month of March. Men from Northwestern Carolina who are interested in a Naval career should apply at the U. S. Navy recruiting station, Post-office Building, Asheville, N. C. Office hours are from 9 a. m. to 4:30 p. m. on week days and from 9 a. m. to 1 p. m. Saturdays. Only men of the Negro race are eligible for enlistment as mess attendants.

If all the land in the United States were to be equally divided, there would be between 16 and 17 acres for each inhabitant.

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## Macon County Students Honored at Cullowhee

CULLOWHEE, March 3.—Esther Seay and Norman West, both of Franklin, were initiated into the Zeta Chapter of the Alpha Phi Sigma honorary scholastic fraternity in a recent meeting.

They were admitted because of their consistent high rank in scholarship.

Miss Seay is the daughter of James H. Seay of Franklin and Mr. West is the son of R. D. West of Franklin.

Approximately 300 words make up 75 per cent of all the words used in ordinary speech and writing.

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