

341.385 Duration of benefits -- Application of classification system -- Extension of benefits -- Additional weeks for job training or certification participation. (Effective January 1, 2023)

- (1) The duration of benefits available to each eligible recipient based upon the state average unemployment rate at the time of his or her application for benefits, up to a maximum of twenty-four (24) weeks, shall be as follows:
 - (a) State average unemployment rate of less than or equal to four and one-half percent (4.5%): twelve (12) weeks of benefits available;
 - (b) State average unemployment rate of greater than four and one-half percent (4.5%) up to and including five percent (5%): thirteen (13) weeks of benefits available;
 - (c) State average unemployment rate of greater than five percent (5%) up to and including five and one-half percent (5.5%): fourteen (14) weeks of benefits available;
 - (d) State average unemployment rate of greater than five and one-half percent (5.5%) up to and including six percent (6%): fifteen (15) weeks of benefits available;
 - (e) State average unemployment rate of greater than six percent (6%) up to and including six and one-half percent (6.5%): sixteen (16) weeks of benefits available;
 - (f) State average unemployment rate of greater than six and one-half percent (6.5%) up to and including seven percent (7%): seventeen (17) weeks of benefits available;
 - (g) State average unemployment rate of greater than seven percent (7%) up to and including seven and one-half percent (7.5%): eighteen (18) weeks of benefits available;
 - (h) State average unemployment rate of greater than seven and one-half percent (7.5%) up to and including eight percent (8%): nineteen (19) weeks of benefits available;
 - (i) State average unemployment rate of greater than eight percent (8%) up to and including eight and one-half percent (8.5%): twenty (20) weeks of benefits available;
 - (j) State average unemployment rate of greater than eight and one-half percent (8.5%) up to and including nine percent (9%): twenty-one (21) weeks of benefits available;
 - (k) State average unemployment rate of greater than nine percent (9%) up to and including nine and one-half percent (9.5%): twenty-two (22) weeks of benefits available;
 - (l) State average unemployment rate of greater than nine and one-half percent (9.5%) up to and including ten percent (10%): twenty-three (23) weeks of benefits available; and
 - (m) State average unemployment rate of greater than ten percent (10%): twenty-four (24) weeks of benefits available.
- (2) The classification system set forth in subsection (1) of this section shall not apply to claimants with verified definite return-to-work or recall-to-work

prospects within a period of sixteen (16) weeks from the date of filing of the initial or reopened claim, who shall instead receive one hundred percent (100%) of the weekly benefit rate for each week that they are otherwise eligible, up to sixteen (16) weeks unless the state average unemployment rate is higher than six and one-half percent (6.5%), in which case the maximum duration of weeks for these claimants shall follow the classification system set forth in subsection (1) of this section.

- (3) The classification system set forth in subsection (1) of this section shall apply to regular benefits and shall not affect the duration of shared work benefits as set forth in KRS 341.4161 to 341.4173 or to the duration of extended benefits set forth in KRS 341.700 to 341.740.
- (4) A claimant who has been classified with a group classification code by the agency that meets the requirements of subsection (1) of this section shall remain in this classification throughout the benefit year regardless of whether or not the claimant's classification changes.
- (5) The secretary may, with the approval of the General Assembly, extend the maximum amount of regular benefits payable, not to exceed twenty-six (26) times the claimant's weekly benefit rate, if:
 - (a) An extension for benefits is authorized by the federal government, but only while federal funding is available; or
 - (b) During, but not exceeding, any extended benefit period as described in KRS 341.094.
- (6) Any otherwise eligible individual who is certified as being enrolled and making satisfactory progress in an approved job training or certification program shall be entitled, during the current benefit year, to receive up to an additional five (5) weeks of benefits after all regular benefits have been exhausted under subsection (1) of this section.
 - (a) The amount of benefits payable under this subsection shall equal the weekly benefit amount established by the most recent benefit year.
 - (b) Benefits under this subsection shall not be paid to an individual who is receiving benefits of comparable value or other training allowances from other unrelated sources.

Effective: January 1, 2023

History: Created 2022 Ky. Acts ch. 21, sec. 7, effective January 1, 2023.

Legislative Research Commission Note (1/1/2023). 2022 Ky. Acts ch. 21, sec. 26, provides that the Act, which created this statute, may be cited as the Unemployment Insurance Sustainability Act of 2022.