

**SENATE BILL NO. 2224**

Introduced by

Senators Murphy, Mathern, Triplett

Representatives Amerman, Holman, Mooney

1 A BILL for an Act to amend and reenact subsection 4 of section 52-06-02 of the North Dakota  
2 Century Code, relating to unemployment insurance eligibility in the case of a lockout.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 4 of section 52-06-02 of the North Dakota Century  
5 Code is amended and reenacted as follows:

6 4. For any week with respect to which it is found that the individual's unemployment is  
7 due to a strike, sympathy strike, or a claimant's work stoppage dispute of any kind  
8 which exists because of a labor dispute at the factory, establishment, or other  
9 premises at which the individual is or was last employed; provided, that this subsection  
10 does not apply if it is shown that:

11 a. The individual is not participating in or directly interested in the labor dispute  
12 which caused the strike, sympathy strike, or a claimant's work stoppage dispute  
13 of any kind; and

14 ~~b. The~~the individual does not belong to a grade or class of workers of which,  
15 immediately before the commencement of the stoppage, there were members  
16 employed at the premises at which the strike, sympathy strike, or a claimant's  
17 work stoppage dispute of any kind occurs, any of whom are participating in or  
18 directly interested in the dispute; provided, that if in any case separate branches  
19 of work, which are commonly conducted as separate businesses in separate  
20 premises, are conducted in separate departments of the same premises, each  
21 such department must, for the purpose of this subsection, be deemed to be a  
22 separate factory, establishment, or other premises.

23 b. The individual has been locked out by that individual's employer and prevented  
24 from working for that employer.