

VIRGINIA ACTS OF ASSEMBLY -- 2000 SESSION

CHAPTER 687

An Act to amend and reenact §§ 2.1-704 and 60.2-613 of the Code of Virginia, relating to the repeal of the federal Job Training Partnership Act and enactment of the federal Workforce Investment Act.

[H 1464]

Approved April 8, 2000

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-704 and 60.2-613 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-704. Participation by the Commonwealth in federal programs of employment training afforded under the Workforce Investment Act; ratification of acts of Governor.

A. It shall be the policy of the Commonwealth to participate in the programs afforded pursuant to the Workforce Investment Act (Pub. L. 97-300 105-220), hereinafter the "Act," adopted by the Congress of the United States, in accordance with the provisions of this chapter.

B. The acts of the Governor by way of implementation of the programs and requirements of the Act in Virginia are hereby authorized, ratified and confirmed, including, without limitation, the creation of a state job training coordinating council solely as an advisory body, as provided by the Act.

§ 60.2-613. Benefits not denied to individuals in training with approval of Commission.

A. No otherwise eligible individual shall be denied benefits for any week because he is in training with the approval of the Commission, including training under ~~Title III Section 134 of the Job Training Partnership~~ *Workforce Investment Act*, nor shall such individual be denied benefits for any week in which he is in training with the approval of the Commission, including training under ~~Title III Section 134 of the Job Training Partnership~~ *Workforce Investment Act*, by reason of the application of the provisions in subdivision 7 of § 60.2-612 relating to availability for work, or the provisions of subdivision 3 of § 60.2-618 relating to failure to apply for, or a refusal to accept, suitable work.

B. Notwithstanding any other provisions of this chapter, no otherwise eligible individual shall be denied benefits for any week because he is in training approved under § 2296 of the Trade Act (19 U.S.C. § 2101 et seq.), nor shall such individual be denied benefits by reason of leaving work to enter such training, provided the work left is not suitable employment, or because of the application to any such week in training of provisions in this law (or any applicable federal unemployment compensation law), relating to availability for work, active search for work, or refusal to accept work.

C. For purposes of this section, "suitable employment" means, with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the Trade Act, and wages for such work at not less than eighty percent of the individual's average weekly wage as determined for the purposes of the Trade Act.