

341.005 Definitions for chapter.

As used in this chapter, unless the context clearly requires otherwise:

- (1) "Approved job training or certification program" means:
 - (a) A program approved by the secretary that leads to a short-term certificate or credential, an industry-recognized certificate, diploma, or associate of applied science degree in one (1) of Kentucky's top five (5) high-demand workforce sectors identified by the Kentucky Workforce Innovation Board and the Education and Labor Cabinet;
 - (b) A program approved and determined by the secretary to improve an individual's employability in a high-wage, high-demand occupation; or
 - (c) A training program approved under the Trade Act of 1974, 19 U.S.C. sec. 2296;
- (2) "Cabinet" means the Education and Labor Cabinet;
- (3) "Commission" means the Unemployment Insurance Commission;
- (4) "Enhanced federal benefits" means any temporary federally funded or partially federally funded benefits, administered by the Commonwealth and payable through voluntary agreements between the Commonwealth and the United States Department of Labor, that supplement or increase weekly state benefit amounts. "Enhanced federal benefits" does not mean benefits such as, without limitation, benefits otherwise calculated and distributed in accordance with KRS 341.350 to 341.415, extended benefits provided for in KRS 341.700 to 341.740, shared work benefits provided for in KRS 341.4161 to 341.4173, disaster unemployment assistance benefits, 42 U.S.C. sec. 5177, or trade readjustment allowances, 19 U.S.C. secs. 2291 to 2294, or any amendments thereto;
- (5) "Secretary" means the secretary of the Education and Labor Cabinet or his or her duly authorized representative; and
- (6) "State average unemployment rate" means the seasonal adjusted statewide unemployment rate that applies to the six (6) month period in which the claim is filed. One six (6) month period shall begin on January 1 of each year and one six (6) month period shall begin on July 1 of each year. For the six (6) month period beginning on January 1, the state average unemployment rate shall be the average of Kentucky's seasonal adjusted unemployment rates for the preceding months of July, August, and September. For the six (6) month period beginning on July 1, the state average unemployment rate shall be the average of Kentucky's seasonal adjusted unemployment rates for the preceding months of January, February, and March. In calculating the state average unemployment rate, the cabinet shall utilize the most recent seasonal adjusted unemployment rate determined by the United States Department of Labor, Bureau of Labor Statistics.

Effective: July 1, 2023

History: Amended 2023 Ky. Acts ch. 80, sec. 3, effective July 1, 2023. -- Amended 2022 Ky. Acts ch. 21, sec. 1, effective January 1, 2023; and ch. 236, sec. 129, effective July 1, 2022. -- Amended 2009 Ky. Acts ch. 11, sec. 69, effective June 25, 2009. -- Amended 2006 Ky. Acts ch. 211, sec. 132, effective July 12, 2006. -- Amended 1996 Ky. Acts ch. 271, sec. 13, effective July 15, 1996. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 95. -- Created 1950 Ky. Acts ch. 206, sec. 1.

Legislative Research Commission Note (1/1/2023). Under the authority of KRS 7.136(1), the Reviser of Statutes has altered the format of subsections (5) and (6) of this statute during codification to place the terms in alphabetical order. The words in the text were not changed.

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

Legislative Research Commission Note (1/1/2023). 2022 Ky. Acts ch. 236 merged the Education and Workforce Development Cabinet into the newly created Education and Labor Cabinet. Changes have been made in subsections (1) and (5) of this statute to conform to that name change.