

INTERSTATE GREAT LAKES RECIPROCAL ARRANGEMENT

Records of ICESA Headquarters indicate the following states are signatory to the Interstate Great Lakes Reciprocal Arrangement:

Illinois
Michigan
Minnesota
New York
Ohio
Pennsylvania
Wisconsin

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Effective 1946

The states subscribing to this document under the authority granted to each of them by the laws of their respective states hereby enter into this Arrangement and mutually agree as follows:

Section 1

It is desirable that coverage of maritime employment on or in connection with vessels operating upon the Great Lakes and connected inland waterways which otherwise may be subject to the unemployment compensation law of more than one state be coordinated and integrated as between the states. Persons engaged in such employment should be assured of continuity of coverage and employers engaging such persons should be relieved insofar as possible of duplication and multiplicity in reporting wages and paying contributions. Maritime employment on the Great Lakes and on inland waterways in connection with operations on the Great Lakes differ from that found in other maritime operation, particularly those in coastwise and foreign commerce. The application of this Arrangement, which shall be known and may be cited as the Interstate Great Lakes Reciprocal Arrangement is therefore intended to be limited to operations on the Great Lakes and on connected inland waterways which are incidental to or connected with such operations.

Section 2

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

(a) "Jurisdiction" means any state of the United States which borders the Great Lakes or inland waterways connected therewith and any state in which there are employers who have vessels in maritime operations on or in connection with the Great Lakes.

(b) "Participating jurisdiction" means a jurisdiction which has subscribed to this Arrangement and has not terminated its adherence thereto in accordance with the provisions thereof.

(c) "Agency" means any officer, board, commission or other authority charged with the administration of the unemployment compensation law of a participating jurisdiction.

(d) "Vessel" means any American vessel operating on the Great Lakes, or operating on other inland waterways in connection with operations on the Great Lakes; and "American vessel" means any vessel documented or numbered under the laws of the United States; and includes any vessel which is neither documented nor numbered under the laws of the United States nor documented under the laws of any foreign country, if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state.

(e) "Maritime service" means service rendered on or in connection with any vessel by an officer or a member of its crew, or other seamen, which is performed on the Great Lakes or on inland waterways connected therewith excepting service performed by any person on or in connection with vessels in the categories set forth below:

1. Vessels plying and operating wholly within the territorial limits of a single jurisdiction.
2. Vessels which enter or traverse waters outside the territorial limits of a single jurisdiction only as an incident to navigation within such jurisdiction.
3. Vessels which do not provide full subsistence facilities, including sleeping quarters for the entire crew and which traverse or travel on waters both within and without a single jurisdiction provided they dock nightly or regularly at docks or piers of such single jurisdiction.
4. Fishing vessels starting from and returning to a port within a single jurisdiction without touching ports of another jurisdiction or touching such ports solely to dispose of catch or for emergency purposes.
5. Yachts not used for commercial purposes.

(f) "Jurisdiction of coverage" with respect to a vessel operated by an employing unit on the Great Lakes or in connection with operations on the Great Lakes means that participating jurisdiction in regard to which it is determined, in accordance with the provisions of this Arrangement, that maritime service rendered on or in connection with such vessel by persons for such employing unit is deemed performed entirely within such participating jurisdiction.

Section 3

(a) The jurisdiction of coverage in regard to maritime service rendered on or in connection with a vessel operated by an employing unit on the Great Lakes shall be that participating jurisdiction in which the employing unit maintains the operating office from which the operations of the vessel are ordinarily and regularly supervised, managed and controlled.

(b) The maritime services of all persons for an employing unit under the conditions set forth under (a) above shall be deemed performed entirely within the jurisdiction of coverage, including services which are performed wholly or partially without that jurisdiction, but excluding services covered on a compulsory basis in a nonparticipating jurisdiction.

Section 4

Whenever an employing unit changes the operating office for a vessel operated on the Great Lakes or on the inland waterways in connection with operations on the Great Lakes with the result that a jurisdiction other than the existing jurisdiction of coverage becomes the jurisdiction of coverage under the terms of Section 3 of this Arrangement in regard to maritime services on such vessel, the jurisdiction of coverage will require such employing unit to notify the agencies of both jurisdictions not later than six weeks after such change occurs. Maritime services on such vessel shall be deemed performed in the jurisdiction of coverage for the new operating office beginning with the first voyage commencing after such transfer took place.

Section 5

(a) Each participating jurisdiction shall require notice from employing units of the names of those of their vessels regarding services on which, in their opinion, such participating jurisdiction has become the jurisdiction of coverage under this Arrangement. The agency of the jurisdiction which receives such notice shall make a proper investigation in order to ascertain whether it has been correctly designated as the jurisdiction of coverage and shall give prompt notice of its findings to the agencies of all other participating jurisdictions. If it finds that the

designation was correct and if none of the agencies of the other jurisdictions takes exceptions thereto within 20 days after notice, such agency shall give final notice of its findings to the employing unit and to the agencies of the other jurisdictions and such findings, shall, in the absence of fraud or misrepresentation, be effective until modified by new findings made pursuant to this section.

(b) If the agency of any participating jurisdiction raises objections against such findings within the specified time, or if the agency of that jurisdiction which was designated by the employing unit as the jurisdiction of coverage holds that such designation was erroneous and thereafter there is not mutual agreement as to the proper jurisdiction of coverage, an umpire shall be promptly selected by the agencies of the jurisdictions involved who shall ascertain the facts and establish the identity of the jurisdiction of coverage.

Section 6

(a) If the unemployment compensation law of any participating jurisdiction excludes maritime service from compulsory coverage but allows voluntary coverage thereof by election, the agency of such jurisdiction shall cooperate by approving any election filed with it for this purpose by an employing unit in the event that such jurisdiction would be a jurisdiction of coverage under the term of this Arrangement. The agency of any participating jurisdiction shall refrain from approving any such election in the event that it would not be a jurisdiction of coverage under this Arrangement.

(b) The provisions of this Arrangement shall not be applicable to maritime services performed for any employing unit as to a jurisdiction of coverage under the following conditions:

1. If such employing unit in respect to the jurisdiction of coverage would not, under the unemployment compensation law of that jurisdiction, become a subject employer by reason of its failure to employ the required number of persons, including those in maritime service, and
2. No application by such employing unit for voluntary coverage has been approved by the agency of such jurisdiction.

Section 7

Each participating jurisdiction shall, as far as it deems practicable, adopt all regulations, procedures, instructions and forms relating to this Arrangement and proposed for uniform application, except such as or to the extent that the participating jurisdiction finds to be clearly inconsistent with its unemployment

compensation law.

Section 8

The terms of this Arrangement shall become operative in respect to a participating jurisdiction beginning with the date of its acceptance, unless otherwise specified in such jurisdiction's subscription to this Arrangement.

Section 9

Each jurisdiction shall indicate its subscription to this Arrangement by filing with the Chairman of the Subcommittee on Maritime Coverage of the Interstate Conference of Employment Security Agencies its duly adopted acceptance thereof, and shall indicate the termination of its subscription thereto as of the close of a calendar quarter by filing with such Chairman prior to the beginning of such quarter its duly adopted termination of such subscription.

Section 10

Each participating jurisdiction shall require all employing units with respect to which it is a jurisdiction of coverage:

(a) To notify their employees performing maritime service, at the time of hiring, of the name of the state which is the jurisdiction of coverage with respect to such service, and

(b) To post in a conspicuous place or places on each vessel operated by them on the Great Lakes or on the inland waterways connected therewith, notices informing their employees of the state under whose unemployment compensation law contributions based on wages for services on such vessels are paid.

Section 11

This Arrangement may be amended by the action of two-thirds of the participating jurisdictions.

Accepted:

Date

Name of State

Name of State Agency

Signature of officer authorized to enter into this Arrangement

Title of Officer