

1967

**Amending Section 82-4-6 (1), Colorado Revised Statutes 1963,
Concerning the Definition Under "The Colorado Employment
Security Act" of "Seasonal Workers" Employed by Certain
Nonprofit Religious, Scientific, Educational, or Cultural
Organizations**

Colorado General Assembly

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CHAPTER 189

LABOR III—EMPLOYMENT SECURITY

BENEFITS—ELIGIBILITY—DISQUALIFICATION

(Senate Bill No. 276. By Senator Kemp.)

A N A C T

AMENDING SECTION 82-4-6 (1), COLORADO REVISED STATUTES 1963, CONCERNING THE DEFINITION UNDER "THE COLORADO EMPLOYMENT SECURITY ACT" OF "SEASONAL WORKERS" EMPLOYED BY CERTAIN NON-PROFIT RELIGIOUS, SCIENTIFIC, EDUCATIONAL, OR CULTURAL ORGANIZATIONS.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. 82-4-6 (1), Colorado Revised Statutes 1963, is amended to read:

82-4-6. Seasonal workers.—(1) As used in this chapter, "seasonal industry" means an industry or establishment or occupation within an industry in which, because of climatic conditions or the seasonal nature of the employment, it is customary to operate only during a regularly recurring period or periods of less than twenty-five weeks in a calendar year, PROVIDED THAT ANY EMPLOYEE OF A RELIGIOUS, SCIENTIFIC, EDUCATIONAL OR CULTURAL ORGANIZATION, NO PART OF THE NET EARNINGS OF WHICH INURES TO THE BENEFIT OF ANY PRIVATE SHAREHOLDER OR INDIVIDUAL, AND WHOSE PRINCIPAL FUNCTION IS PERFORMED FOR AN AGGREGATE PERIOD OF LESS THAN THIRTY-SIX WEEKS IN ANY CALENDAR YEAR, IS A "SEASONAL WORKER" WITHIN THE MEANING OF THIS CHAPTER, NOTWITHSTANDING THE FACT THAT THE SEASON OF THE ORGANIZATION IS IN EXCESS OF TWENTY-FIVE WEEKS. ANY WEEK OF THE YEAR DURING WHICH THE PRINCIPAL FUNCTION OF SUCH A NONPROFIT ORGANIZATION IS NOT PERFORMED SHALL NOT BE INCLUDED AS PART OF THE THIRTY-SIX WEEK AGGREGATE OR AS PART OF THE ORGANIZATION'S NORMAL SEASONAL PERIOD, PROVIDED THAT A WRITTEN APPLICATION FOR SEASONAL DETERMINATION FILED BY SUCH A NONPROFIT EMPLOYER SHALL INCLUDE A STATEMENT OF THE WEEKS DURING THE YEAR WHEN THE PRINCIPAL FUNCTION IS PERFORMED, AND SHALL BE APPROPRIATELY AMENDED BY THE EMPLOYER IF THE SEASON IS VARIED IN A SUBSEQUENT YEAR; "normal sea-

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

sonal period or periods" means the normal seasonal period or periods during which workers are ordinarily employed for the purpose of carrying on seasonal operations in each seasonal industry; "nonseasonal period or periods" means the period or periods within a calendar year other than the normal seasonal period or periods as determined by the commission; "seasonal worker" means an individual who has been paid seasonal wages by a seasonal employer for seasonal work during the base period.

Section 2. Safety clause.—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 21, 1967.