

1 benefits under another Section of this Act, and provided
2 further that no individual locked out by an employer shall be
3 eligible for benefits for any week during which (1) the
4 ~~employer-refuses-to-meet-under-reasonable-conditions-with-the~~
5 recognized or certified collective bargaining representative
6 of the locked out employees refuses to meet under reasonable
7 conditions with the employer to discuss the issues giving
8 rise to the lockout or (2) there is a final adjudication
9 under the National Labor Relations Act that during the period
10 of the lockout the ~~employer-has-refused-to--bargain--in--good~~
11 ~~faith--with-the~~ recognized or certified collective bargaining
12 representative of the locked-out employees has refused to
13 bargain in good faith with the employer over issues giving
14 rise to the lockout, or (3) the lockout has resulted as a
15 direct consequence of a violation by the recognized or
16 certified collective bargaining representative of the locked
17 out employees of violates the provisions of an existing
18 collective bargaining agreement. An individual's total or
19 partial unemployment resulting from any reduction in
20 operations or reduction of force or layoff of employees by an
21 employer made in the course of or in anticipation of
22 collective bargaining negotiations between a labor
23 organization and such employer, is not due to a stoppage of
24 work which exists because of a labor dispute until the date
25 of actual commencement of a strike or lockout.

26 This Section shall not apply if it is shown that (A) the
27 individual is not participating in or financing or directly
28 interested in the labor dispute which caused the stoppage of
29 work and (B) he does not belong to a grade or class of
30 workers of which immediately before the commencement of the
31 stoppage there were members employed at the premises at which
32 the stoppage occurs, any of whom are participating in or
33 financing or directly interested in the dispute; provided,
34 that a lockout by the employer or an individual's failure to

1 cross a picket line at such factory, establishment, or other
2 premises shall not, in itself, be deemed to be participation
3 by him in the labor dispute. If in any case, separate
4 branches of work which are commonly conducted as separate
5 businesses in separate premises are conducted in separate
6 departments of the same premises, each such department shall,
7 for the purpose of this Section, be deemed to be a separate
8 factory, establishment, or other premises.

9 Whenever any claim involves the provisions of this
10 Section, the claims adjudicator referred to in Section 702
11 shall make a separate determination as to the eligibility or
12 ineligibility of the claimant with respect to the provisions
13 of this Section. This separate determination may be appealed
14 to the Director in the manner prescribed by Section 800.

15 (Source: P.A. 85-956.)".