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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

October 24, 2002

Honorable Johnny J. Butler, Secretary
Department of Labor and Industry
1700 Labor and Industry Building
Harrisburg, PA 17120


Re: Regulation #12-56 (IRRC #2166)
Department of Labor & Industry
Reasonable Assurance

Dear Secretary Butler:

The Independent Regulatory Review Commission approved your regulation today. Our Order is enclosed and is available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,


John R. McGinley, Jr.
Chairman

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Enclosure

cc: Honorable Robert J. Flick, Majority Chairman, House Labor Relations Committee
Honorable Robert E. Belfanti, Jr., Democratic Chairman, House Labor Relations Committee
Honorable Gibson E. Armstrong, Chairman, Senate Labor and Industry Committee
Honorable Christine M. Tartaglione, Minority Chairman, Senate Labor and Industry Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held October 24, 2002

John R. McGinley, Jr., Chairman
Alvin C. Bush, Vice Chairman, by Phone
Arthur Coccodrilli
Robert J. Harbison, III
John F. Mizner

Regulation No. 12-56
Department of Labor and Industry
Reasonable Assurance

On March 8, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code by adding Section 65.161. The proposed regulation was published in the March 24, 2001 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 27, 2002.

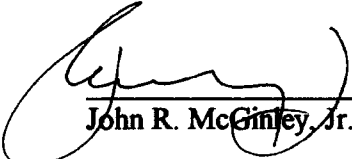
This regulation establishes criteria for determining the eligibility of employees of educational institutions for unemployment compensation benefits. This revision will bring the Department's unemployment compensation eligibility criteria into conformity with the United States Department of Labor requirements under Section 3304(a)(6)(A) of the Federal Unemployment Tax Act (26 U.S.C. § 3304(a)(6)(A)).

We have determined this regulation is consistent with the statutory authority of the Department (43 P.S. § 761(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





John R. McGinley, Jr., Chairman