

INTERSTATE MARITIME RECIPROCAL ARRANGEMENT

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

Alabama
Alaska
California
Connecticut
Florida
Illinois
Iowa
Louisiana
Maine
Maryland
Missouri
Nebraska
New Jersey
New York
Ohio
Pennsylvania
Puerto Rico
Rhode Island
Tennessee
Texas
Virginia
Washington
West Virginia
Wisconsin

INTERSTATE MARITIME RECIPROCAL ARRANGEMENT

Effective July 1, 1946

WHEREAS, the unemployment compensation laws of some of the participating jurisdictions provide for the coverage of maritime service on a compulsory basis while the laws of other participating jurisdictions permit the coverage of such services on a voluntary basis; and

WHEREAS, it is desirable that such coverage be coordinated and integrated as between the jurisdiction so that the coverage of persons engaged in maritime services be as extensive as possible, and that duplication of contributions with respect to such services be avoided and continuity of coverage of services of individuals engaged in maritime service be assured, each subscribing jurisdiction hereby enters into the Arrangement herein below set forth with each other

jurisdiction subscribing hereto.

Section 1

This agreement shall be known and may be cited as the Interstate Maritime Reciprocal Arrangement.

Section 2

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

- (a) "Jurisdiction" means any state of the United States and the District of Columbia;
- (b) "Participating Jurisdiction" means a jurisdiction which has subscribed to this Arrangement and has not terminated its adherence thereto in accordance with the provisions hereof;
- (c) "Agency" means any officer, board, commission or other authority charged with the administration of the unemployment compensation law of a participating jurisdiction;
- (d) "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 American vessel engaged in interstate or foreign operations by an officer or member of its crew entirely performed within the United States, or performed under a contract of service which is entered into within the United States, or during the performance of which the vessel touches at a port in the United States, if the employee is employed on and in connection with such vessel when outside the United States, except services performed by any person on 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 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 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 services rendered on a vessel operated by an employing unit 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 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, such employing unit shall 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 employing unit shall notify the agency of each participating jurisdiction of the names of those of its vessels regarding the services on which, in its

opinion, such participating jurisdiction has become the jurisdiction of coverage under this Arrangement. The agency of each such jurisdiction 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 all other jurisdictions.

(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, an umpire shall be 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 will 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 terms 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 apply to maritime services performed for any employing unit to the extent that it would be liable for contributions under the unemployment compensation law of a jurisdiction of coverage by not employing the required number of individuals, including those in maritime service, rendering it liable therefore under the provisions of such law, unless an application by such employing unit for voluntary coverage has been approved by the agency of such jurisdiction.

Section 7

The terms of this Arrangement shall apply to employing units beginning with the date on which liability in regard to maritime service commences under the Federal Unemployment Tax Act to the extent that the jurisdiction or jurisdictions of coverage subscribe to this Arrangement before or during the year in which such liability commences. The terms of this Arrangement shall apply beginning with the first day of the calendar year in which a jurisdiction subscribes to this Arrangement to the extent that such subscription occurred in a calendar year

beginning after such liability commenced.

Section 8

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 by filing with such Chairman 90 days prior to the effective date of such termination, its duly adopted termination of such subscription.

Section 9

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

Accepted:

Date _____

Name of State _____

Name of State Agency _____

Signature of Officer authorized to enter into this Arrangement

Title of Officer
