

# House Amendment 8527

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1 1 Amend House File 2675 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. Section 96.3, subsection 5, Code 2007,  
1 5 is amended to read as follows:  
1 6 5. a. DURATION OF BENEFITS. The maximum total  
1 7 amount of benefits payable to an eligible individual  
1 8 during a benefit year shall not exceed the total of  
1 9 the wage credits accrued to the individual's account  
1 10 during the individual's base period, or twenty=six  
1 11 times the individual's weekly benefit amount,  
1 12 whichever is the lesser. The director shall maintain  
1 13 a separate account for each individual who earns wages  
1 14 in insured work. The director shall compute wage  
1 15 credits for each individual by crediting the  
1 16 individual's account with one=third of the wages for  
1 17 insured work paid to the individual during the  
1 18 individual's base period. However, the director shall  
1 19 recompute wage credits for an individual who is laid  
1 20 off due to the individual's employer going out of  
1 21 business at the factory, establishment, or other  
1 22 premises at which the individual was last employed, by  
1 23 crediting the individual's account with one=half,  
1 24 instead of one=third, of the wages for insured work  
1 25 paid to the individual during the individual's base  
1 26 period. Benefits paid to an eligible individual shall  
1 27 be charged against the base period wage credits in the  
1 28 individual's account which have not been previously  
1 29 charged, in the inverse chronological order as the  
1 30 wages on which the wage credits are based were paid.  
1 31 However if the state "off indicator" is in effect and  
1 32 if the individual is laid off due to the individual's  
1 33 employer going out of business at the factory,  
1 34 establishment, or other premises at which the  
1 35 individual was last employed, the maximum benefits  
1 36 payable shall be extended to thirty=nine times the  
1 37 individual's weekly benefit amount, but not to exceed  
1 38 the total of the wage credits accrued to the  
1 39 individual's account.  
1 40 b. TRAINING EXTENSION BENEFITS. An individual who  
1 41 is in training with the approval of the director at  
1 42 the time regular benefits are exhausted may be  
1 43 eligible for training extension benefits. The  
1 44 training extension benefit amount shall be twenty=six  
1 45 times the individual's weekly benefit amount, and the  
1 46 weekly benefit amount shall be equal to the  
1 47 individual's weekly benefit amount for the claim in  
1 48 which benefits were exhausted while in training. An  
1 49 individual who is receiving training extension  
1 50 benefits shall not be denied benefits due to  
2 1 application of section 96.4, subsection 3, or section  
2 2 96.5, subsection 3. However, an employer's account  
2 3 shall not be charged with benefits so paid. Relief of  
2 4 charges under this paragraph applies to both  
2 5 contributory and reimbursable employers,  
2 6 notwithstanding section 96.8, subsection 5. In order  
2 7 for the individual to be eligible for training  
2 8 extension benefits all of the following criteria must  
2 9 be met:  
2 10 (1) Training extension benefits end upon  
2 11 completion of the training even though a portion of  
2 12 the training extension benefit amount may remain, but  
2 13 the benefits shall not extend beyond the end of the  
2 14 benefit year.  
2 15 (2) The individual must be enrolled, participating  
2 16 in the training, and making satisfactory progress to  
2 17 complete the training.  
2 18 (3) The individual is considered to be in training  
2 19 during regularly scheduled vacation or recess periods  
2 20 of three weeks or less but not during a summer  
2 21 vacation period or school break which is longer than  
2 22 three weeks. If the individual immediately returns to  
2 23 training after the summer vacation or break period of  
2 24 longer than three weeks, the individual may reopen the

2 25 training extension claim. Otherwise, the individual  
2 26 must be continuously in training in order to be  
2 27 eligible for training extension benefits.

2 28 Sec. 2. Section 96.5, subsection 1, Code  
2 29 Supplement 2007, is amended by adding the following  
2 30 new paragraph:

2 31 NEW PARAGRAPH. b. The individual left employment  
2 32 due to domestic abuse, as defined in section 236.2, or  
2 33 stalking, as described in section 708.11, perpetrated  
2 34 against the individual, and the individual reasonably  
2 35 believed such act was necessary to protect the safety  
2 36 of the individual or the individual's family.  
2 37 Benefits related to wage credits earned with the  
2 38 employer that the individual has left shall be charged  
2 39 to the unemployment compensation fund. This paragraph  
2 40 applies to both contributory and reimbursable  
2 41 employers, notwithstanding section 96.8, subsection 5.  
2 42 All evidence of domestic abuse or stalking experienced  
2 43 by an individual, including the individual's statement  
2 44 and any corroborating evidence, shall not be disclosed  
2 45 by the department, except to the parties in a  
2 46 contested benefit case proceeding and to the  
2 47 employment appeal board or courts in an appeal or  
2 48 unless consent for disclosure is granted in writing by  
2 49 the individual. Evidence of domestic abuse or  
2 50 stalking may include but is not limited to any of the

3 1 following:

3 2 (1) A statement or report from a law enforcement  
3 3 agency or professional, medical professional, mental  
3 4 health professional, or domestic violence shelter or  
3 5 professional.

3 6 (2) Witness statements regarding an incident that  
3 7 causes the individual to believe the individual's life  
3 8 or safety or the life or safety of a member of the  
3 9 individual's family is in danger.

3 10 Sec. 3. Section 96.7, subsection 2, paragraph a,  
3 11 subparagraph (2), Code 2007, is amended by adding the  
3 12 following new unnumbered paragraph after unnumbered  
3 13 paragraph 5:

3 14 NEW UNNUMBERED PARAGRAPH. The account of an  
3 15 employer shall not be charged with benefits paid to an  
3 16 individual who is laid off if the benefits are paid as  
3 17 the result of the return to work of a permanent  
3 18 employee who is one of the following:

3 19 (a) A member of the national guard or organized  
3 20 reserves of the armed forces of the United States  
3 21 ordered to temporary duty, as defined in section  
3 22 29A.1, subsection 3, 11, or 12, for any purpose, who  
3 23 has completed the duty as evidenced in accordance with  
3 24 section 29A.43.

3 25 (b) A member of the civil air patrol performing  
3 26 duty pursuant to section 29A.3A, who has completed the  
3 27 duty as evidenced in accordance with section 29A.43.

3 28 Sec. 4. FUTURE APPROPRIATION OF FEDERAL FUNDS.

3 29 Any funds received by this state from the federal  
3 30 government pursuant to section 903 of the federal  
3 31 Social Security Act as a result of the enactment of  
3 32 this Act shall be appropriated by the general assembly  
3 33 to the department of workforce development to be used  
3 34 for the payment of unemployment insurance benefits or  
3 35 for the administration of the Iowa employment security  
3 36 law, chapter 96, and public employment offices.

3 37 Sec. 5. EFFECTIVE AND APPLICABILITY DATES. The  
3 38 sections of this Act amending sections 96.3 and 96.7  
3 39 apply to any week of unemployment benefits beginning  
3 40 on or after July 1, 2008. The section of this Act  
3 41 enacting section 96.5, subsection 1, paragraph "b",  
3 42 takes effect June 29, 2008, and applies to any week of  
3 43 unemployment benefits beginning on or after that  
3 44 date.>

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3 48 COMMITTEE ON LABOR

3 49 R. OLSON of Polk, CHAIRPERSON

3 50 HF 2675.503 82

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