

House Amendment 8642

PAG LIN

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 96.4, subsection 4, Code 2007, is
2 29 amended to read as follows:

2 30 4. a. The individual has been paid wages for
2 31 insured work during the individual's base period in an
2 32 amount at least one and one-quarter times the wages
2 33 paid to the individual during that quarter of the
2 34 individual's base period in which the individual's
2 35 wages were highest; provided that the individual has
2 36 been paid wages for insured work totaling at least
2 37 three and five-tenths percent of the statewide average
2 38 annual wage for insured work, computed for the
2 39 preceding calendar year if the individual's benefit
2 40 year begins on or after the first full week in July
2 41 and computed for the second preceding calendar year if
2 42 the individual's benefit year begins before the first
2 43 full week in July, in that calendar quarter in the
2 44 individual's base period in which the individual's
2 45 wages were highest, and the individual has been paid
2 46 wages for insured work totaling at least one-half of
2 47 the amount of wages required under this subsection
2 48 paragraph in the calendar quarter of the base period
2 49 in which the individual's wages were highest, in a
2 50 calendar quarter in the individual's base period other
3 1 than the calendar quarter in which the individual's
3 2 wages were highest. The calendar quarter wage
3 3 requirements shall be rounded to the nearest multiple
3 4 of ten dollars.

3 5 b. For an individual who does not have sufficient
3 6 wages in the base period, as defined in section 96.19,
3 7 to otherwise qualify for benefits pursuant to this
3 8 subsection, the individual's base period shall be the
3 9 last four completed calendar quarters immediately
3 10 preceding the first day of the individual's benefit
3 11 year if such period qualifies the individual for
3 12 benefits under this subsection.

3 13 (1) Wages that fall within the alternative base
3 14 period established under this paragraph "b" are not
3 15 available for qualifying benefits in any subsequent
3 16 benefit year.

3 17 (2) Employers shall be charged in the manner
3 18 provided in this chapter for benefits paid based upon
3 19 quarters used in the alternative base period.

3 20 (3) The alternative base period in this paragraph
3 21 "b" shall apply to any new claim filed one hundred
3 22 twenty days or more after enactment of federal law
3 23 providing for distribution of funding relating to
3 24 section 903 of the federal Social Security Act and
3 25 contingent in whole or in part upon state law
3 26 containing an alternative base period provision.

3 27 c. If the individual has drawn benefits in any
3 28 benefit year, the individual must during or subsequent
3 29 to that year, work in and be paid wages for insured
3 30 work totaling at least two hundred fifty dollars, as a
3 31 condition to receive benefits in the next benefit
3 32 year.

3 33 Sec. 3. Section 96.5, subsection 1, Code
3 34 Supplement 2007, is amended by adding the following
3 35 new paragraph:

3 36 NEW PARAGRAPH. b. (1) The individual left
3 37 employment to accompany a spouse due to a change in
3 38 location of the spouse's employment to a place from
3 39 which it is impractical for the individual to commute.
3 40 Benefits based upon wage credits earned with the
3 41 employer that the individual has left shall be charged
3 42 to the unemployment compensation fund for both
3 43 contributory and reimbursable employers,
3 44 notwithstanding section 96.8, subsection 5.

3 45 (2) This paragraph "b" shall apply to any new
3 46 claim filed one hundred twenty days or more after the
3 47 enactment of federal law providing for distribution of
3 48 funding relating to section 903 of the federal Social
3 49 Security Act.

3 50 Sec. 4. Section 96.5, subsection 1, paragraph c,
4 1 Code Supplement 2007, is amended to read as follows:

4 2 c. ~~The individual left employment for the~~
~~4 3 necessary and sole purpose of taking care of a member~~
~~4 4 of the individual's immediate family who was then~~
~~4 5 injured or ill, and if after said member of the family~~

~~4 6 sufficiently recovered, the individual immediately
4 7 returned to and offered the individual's services to
4 8 the individual's employer, provided, however, that
4 9 during such period the individual did not accept any
4 10 other employment. The individual left employment as a
4 11 result of the illness, injury, or disability of a
4 12 member of the individual's immediate family. The
4 13 individual must demonstrate a compelling need to leave
4 14 employment and provide medical evidence establishing
4 15 the debilitating condition of the immediate family
4 16 member. Benefits based upon wage credits earned with
4 17 the employer that the individual has left shall be
4 18 charged to the unemployment compensation fund for both
4 19 contributory and reimbursable employers,
4 20 notwithstanding section 96.8, subsection 5.~~

4 21 Sec. 5. Section 96.5, subsection 1, Code
4 22 Supplement 2007, is amended by adding the following
4 23 new paragraph:

4 24 NEW PARAGRAPH. k. The individual left employment
4 25 due to domestic abuse, as defined in section 236.2, or
4 26 stalking, as described in section 708.11, perpetrated
4 27 against the individual, and the individual reasonably
4 28 believed such act was necessary to protect the safety
4 29 of the individual or the individual's family.
4 30 Benefits related to wage credits earned with the
4 31 employer that the individual has left shall be charged
4 32 to the unemployment compensation fund. This paragraph
4 33 applies to both contributory and reimbursable
4 34 employers, notwithstanding section 96.8, subsection 5.
4 35 All evidence of domestic abuse or stalking experienced
4 36 by an individual, including the individual's statement
4 37 and any corroborating evidence, shall not be disclosed
4 38 by the department, except to the parties in a
4 39 contested benefit case proceeding and to the
4 40 employment appeal board or courts in an appeal or
4 41 unless consent for disclosure is granted in writing by
4 42 the individual. Evidence of domestic abuse or
4 43 stalking may include but is not limited to any of the
4 44 following:

4 45 (1) A statement or report from a law enforcement
4 46 agency or professional, medical professional, mental
4 47 health professional, or domestic violence shelter or
4 48 professional.

4 49 (2) Witness statements regarding an incident that
4 50 causes the individual to believe the individual's life
5 1 or safety or the life or safety of a member of the
5 2 individual's family is in danger.

5 3 Sec. 6. Section 96.23, subsection 2, Code 2007, is
5 4 amended to read as follows:

5 5 2. The individual did not receive wages from
5 6 insured work for two calendar quarters and did not
5 7 receive wages from insured work for another calendar
5 8 quarter equal to or greater than the amount required
5 9 for a calendar quarter, other than the calendar
5 10 quarter in which the individual's wages were highest,
5 11 under section 96.4, subsection 4, paragraph "a".

5 12 Sec. 7. FUTURE APPROPRIATION OF FEDERAL FUNDS.
5 13 Any funds received by this state from the federal
5 14 government pursuant to section 903 of the federal
5 15 Social Security Act as a result of the enactment of
5 16 this Act shall be appropriated by the general assembly
5 17 to the department of workforce development to be used
5 18 for the payment of unemployment insurance benefits or
5 19 for the administration of the Iowa employment security
5 20 law, chapter 96, and public employment offices.

5 21 Sec. 8. EFFECTIVE AND APPLICABILITY DATES. The
5 22 section of this Act amending section 96.3 applies to
5 23 any week of unemployment benefits beginning on or
5 24 after July 1, 2008. The sections of this Act amending
5 25 section 96.5, subsection 1, paragraph "c", and
5 26 enacting section 96.5, subsection 1, paragraph "k",
5 27 take effect June 29, 2008, and apply to any claim with
5 28 an effective date on or after June 29, 2008.>

5 29 #2. Title page, by striking lines 1 through 3 and
5 30 inserting the following: <An Act relating to
5 31 unemployment insurance benefits and compliance with
5 32 federal law and including effective date and
5 33 applicability provisions.>

5 34
5 35
5 36

5 37 T. TAYLOR of Linn
5 38 HF 2675.302 82
5 39 ak/rj/12579