

See Duesen. 3/24/87 Do Gov 4/3/87 (p. 11.56)

MAR 19 1987

Place On Calendar

HOUSE FILE 596

BY COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

(Formerly House File 218)-

Passed House, Date 3-26-87 (p. 860) Passed Senate, Date 4-14-87 (p. 1270)

Vote: Ayes 98 Nays 0 Vote: Ayes 50 Nays 0

Approved April 29, 1987 (p. 1858)

**A BILL FOR**

1 An Act relating to the time for designating the period for which  
2 certain employer payments shall be allocated.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HL 596

1 Section 1. Section 96.5, subsection 7, paragraph b, is  
2 amended to read as follows:

3 b. ~~Whenever~~ When, in connection with ~~any~~ a separation or  
4 layoff of an individual, the individual's employer makes a  
5 payment or payments to the individual, or becomes obligated to  
6 make ~~such~~ a payment to the individual as, or in the nature of,  
7 vacation pay, or vacation pay allowance, or as pay in lieu of  
8 vacation, and within ~~seven~~ ten calendar days after  
9 notification of the filing of the individual's claim,  
10 designates by notice in writing to the division of job service  
11 the period to which ~~such~~ the payment shall be allocated;  
12 provided, that if such designated period is extended by the  
13 employer, the individual may again similarly designate an  
14 extended period, by giving notice ~~thereof~~ in writing to the  
15 division not later than the beginning of the extension of ~~such~~  
16 the period, with the same effect as if ~~such~~ the period of  
17 extension were included in the original designation. The  
18 amount of ~~any-such~~ a payment or obligation to make payment,  
19 ~~shall-be~~ is deemed "wages" as defined in section 96.19,  
20 subsection 12, and shall be applied as provided in paragraph  
21 "c" of this subsection 7.

22 EXPLANATION

23 The bill provides that an employer has ten calendar days  
24 (previously seven) after notification of an individual's claim  
25 for unemployment compensation to designate the period to which  
26 certain payments shall be allocated. The type of payment (or  
27 obligation to make a payment) is, or is in the nature of,  
28 vacation pay, vacation pay allowance, or in lieu of vacation,  
29 and is connected with the separation or layoff of an  
30 individual. If the conditions are met, the payment will be  
31 considered "wages" and will disqualify the individual for  
32 benefits for that period.

33 The ten-day period is consistent with the time allocated  
34 for protesting the payments for unemployment compensation.

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subsection 12, and shall be applied as provided in paragraph "c" of this subsection 7.

HOUSE FILE 596

AN ACT

RELATING TO THE TIME FOR DESIGNATING THE PERIOD FOR WHICH CERTAIN EMPLOYER PAYMENTS SHALL BE ALLOCATED.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 96.5, subsection 7, paragraph b, is amended to read as follows:

b. Whenever when, in connection with any a separation or layoff of an individual, the individual's employer makes a payment or payments to the individual, or becomes obligated to make such a payment to the individual as, or in the nature of, vacation pay, or vacation pay allowance, or as pay in lieu of vacation, and within seven ten calendar days after notification of the filing of the individual's claim, designates by notice in writing to the division of job service the period to which such the payment shall be allocated; provided, that if such designated period is extended by the employer, the individual may again similarly designate an extended period, by giving notice thereof in writing to the division not later than the beginning of the extension of such the period, with the same effect as if such the period of extension were included in the original designation. The amount of any-such a payment or obligation to make payment, ~~shall be~~ is deemed "wages" as defined in section 96.19,

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DONALD D. AVENSON  
Speaker of the House

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JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 596, Seventy-second General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved *April 29*, 1987

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TERRY E. BRANSTAD  
Governor