

Larson, Ch
Dolecheck
Taylor

HSB 164
LABOR & INDUSTRIAL RELATIONS
Sf
Sf 0717

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON LABOR
AND INDUSTRIAL RELATIONS BILL
BY CHAIRPERSON TYRRELL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the review by administrative law judges of
2 certain unemployment compensation determinations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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Revised By

7/1/72

1 ~~Section 1.~~ Section 96.6, subsection 3, unnumbered
2 paragraph 2, Code 1999, is amended to read as follows:
3 Appeals Notwithstanding any provision of section 17A.11 to
4 the contrary, appeals from the initial determination shall be
5 heard by an administrative law judge employed by the
6 department. However, not less than seven days prior to a
7 hearing, a party may request that the appeal be heard by an
8 administrative law judge employed by the division of
9 administrative hearings of the department of inspections and
10 appeals. An administrative law judge employed by the
11 department shall have the same qualifications as an
12 administrative law judge employed by the division of
13 administrative hearings of the department of inspections and
14 appeals. An administrative law judge's decision may be
15 appealed by any party to the employment appeal board created
16 in section 10A.601. The decision of the appeal board is final
17 agency action and an appeal of the decision shall be made
18 directly to the district court.

19 Sec. 2. Section 96.7, subsection 4, unnumbered paragraph
20 3, Code 1999, is amended to read as follows:

21 A hearing on an appeal shall be conducted according to
22 rules adopted by the department. The rules shall provide,
23 notwithstanding any provision of section 17A.11 to the
24 contrary, that the hearing shall be conducted by an
25 administrative law judge employed by the department. However,
26 not less than seven days prior to a hearing, a party may
27 request that the appeal be heard by an administrative law
28 judge employed by the division of administrative hearings of
29 the department of inspections and appeals. An administrative
30 law judge employed by the department shall have the same
31 qualifications as an administrative law judge employed by the
32 division of administrative hearings of the department of
33 inspections and appeals. A copy of the decision of the
34 administrative law judge shall be sent by regular mail to the
35 last address, according to the records of the department, of

1 each affected employing unit or employer.

2 EXPLANATION

3 This bill relates to the employment status and
4 qualifications of administrative law judges hearing certain
5 administrative appeals involving unemployment compensation
6 issues. Code section 96.6, subsection 3, which concerns
7 appeals of an initial determination of a benefit decision
8 concerning unemployment compensation, and Code section 96.7,
9 subsection 4, which concerns appeals of employer liability
10 determinations, are both amended by this bill.

11 The bill provides that in both instances, appeals shall be
12 heard by an administrative law judge employed by the
13 department of workforce development notwithstanding any
14 provision of Code chapter 17A to the contrary. However, if a
15 party so requests at least seven days prior to the hearing,
16 the appeal shall be heard by an administrative law judge
17 employed by the division of administrative hearings of the
18 department of inspections and appeals. The bill also provides
19 that administrative law judges employed by the department of
20 workforce development shall meet the same qualifications as
21 those employed through the division of administrative hearings
22 of the department of inspections and appeals.

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MAR 17 1999
Place On Calendar

HOUSE FILE 717
BY COMMITTEE ON LABOR AND
INDUSTRIAL RELATIONS

(SUCCESSOR TO HSB 164)

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Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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HF 717

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