

House Study Bill 605 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

A BILL FOR

1 An Act relating to certain notifications issued by the
2 department of workforce development concerning claims for
3 unemployment benefits.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 96.6, subsection 2, Code 2020, is amended
2 to read as follows:

3 2. *Initial determination.* A representative designated by
4 the director shall promptly notify all interested parties to
5 the claim of its filing, and the parties have ten days from
6 the date of ~~mailing~~ issuing the notice of the filing of the
7 claim ~~by ordinary mail to the last known address~~ to protest
8 payment of benefits to the claimant. All interested parties
9 shall select a format as specified by the department to receive
10 such notifications. The representative shall promptly examine
11 the claim and any protest, take the initiative to ascertain
12 relevant information concerning the claim, and, on the basis of
13 the facts found by the representative, shall determine whether
14 or not the claim is valid, the week with respect to which
15 benefits shall commence, the weekly benefit amount payable
16 and its maximum duration, and whether any disqualification
17 shall be imposed. The claimant has the burden of proving
18 that the claimant meets the basic eligibility conditions of
19 section 96.4. The employer has the burden of proving that the
20 claimant is disqualified for benefits pursuant to [section 96.5](#),
21 except as provided by [this subsection](#). The claimant has the
22 initial burden to produce evidence showing that the claimant
23 is not disqualified for benefits in cases involving section
24 96.5, subsections 10 and 11, and has the burden of proving
25 that a voluntary quit pursuant to [section 96.5, subsection 1](#),
26 was for good cause attributable to the employer and that the
27 claimant is not disqualified for benefits in cases involving
28 section 96.5, subsection 1, paragraphs "a" through "h". Unless
29 the claimant or other interested party, after notification or
30 within ten calendar days after notification was ~~mailed to the~~
31 ~~claimant's last known address~~ issued, files an appeal from the
32 decision, the decision is final and benefits shall be paid or
33 denied in accordance with the decision. If an administrative
34 law judge affirms a decision of the representative, or the
35 appeal board affirms a decision of the administrative law judge

1 allowing benefits, the benefits shall be paid regardless of
2 any appeal which is thereafter taken, but if the decision is
3 finally reversed, no employer's account shall be charged with
4 benefits so paid and this relief from charges shall apply to
5 both contributory and reimbursable employers, notwithstanding
6 section 96.8, subsection 5.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill strikes language providing that notifications of
11 interested parties that a claim for unemployment benefits has
12 been made be sent by ordinary mail. The bill instead provides
13 that such notifications shall be in a format as specified
14 by the department of workforce development selected by the
15 parties.