

Senate File 34 - Introduced

SENATE FILE 34

BY BROWN

A BILL FOR

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

1 Section 1. Section 96.6, subsection 2, Code 2019, 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 calendar
6 days from the date of mailing receipt of the notice of
7 the filing of the claim by ordinary mail to the last known
8 address to protest payment of benefits to the claimant. The
9 department shall offer the option of receiving such notices
10 by certified mail to the last known address or by electronic
11 mail. The representative shall promptly examine the claim
12 and any protest, take the initiative to ascertain relevant
13 information concerning the claim, and, on the basis of the
14 facts found by the representative, shall determine whether
15 or not the claim is valid, the week with respect to which
16 benefits shall commence, the weekly benefit amount payable
17 and its maximum duration, and whether any disqualification
18 shall be imposed. The claimant has the burden of proving
19 that the claimant meets the basic eligibility conditions of
20 section 96.4. The employer has the burden of proving that the
21 claimant is disqualified for benefits pursuant to [section 96.5](#),
22 except as provided by [this subsection](#). The claimant has the
23 initial burden to produce evidence showing that the claimant
24 is not disqualified for benefits in cases involving section
25 96.5, subsections 10 and 11, and has the burden of proving
26 that a voluntary quit pursuant to [section 96.5, subsection 1](#),
27 was for good cause attributable to the employer and that the
28 claimant is not disqualified for benefits in cases involving
29 section 96.5, subsection 1, paragraphs "a" through "h". Unless
30 the claimant or other interested party, ~~after notification~~
31 ~~or~~ within ten calendar days after the date notification was
32 ~~mailed to the claimant's last known address~~ received, files an
33 appeal from the decision, the decision is final and benefits
34 shall be paid or denied in accordance with the decision.
35 If an administrative law judge affirms a decision of the

1 representative, or the appeal board affirms a decision of the
2 administrative law judge allowing benefits, the benefits shall
3 be paid regardless of any appeal which is thereafter taken,
4 but if the decision is finally reversed, no employer's account
5 shall be charged with benefits so paid and this relief from
6 charges shall apply to both contributory and reimbursable
7 employers, notwithstanding [section 96.8, subsection 5](#).

8

EXPLANATION

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

11 This bill requires the department of workforce development
12 to send notifications that a claim for unemployment benefits
13 has been filed to parties to the claim by the parties' choice
14 of certified or electronic mail rather than ordinary mail as
15 required under current law.

16 The bill also gives parties to a claim 10 days from the
17 date notification of the department's decision on the claim is
18 received to appeal the decision. Current law requires that an
19 appeal be filed after a claimant or other interested party is
20 notified or 10 days after the notification was mailed to the
21 claimant's last known address.