

Senate File 99 - Introduced

SENATE FILE 99

BY CARLIN

A BILL FOR

1 An Act relating to work search requirements for unemployment
2 insurance benefits, making penalties applicable, and
3 including applicability provisions.

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

1 Section 1. Section 96.4, subsection 3, Code 2019, is amended
2 to read as follows:

3 3. a. The individual is able to work, is available for
4 work, and is earnestly and actively seeking work. This
5 subsection is waived if the individual is deemed partially
6 unemployed, while employed at the individual's regular job,
7 as defined in [section 96.19, subsection 38](#), paragraph "b",
8 subparagraph (1), or temporarily unemployed as defined in
9 section 96.19, subsection 38, paragraph "c". The work search
10 requirements of [this subsection](#) and the disqualification
11 requirement for failure to apply for, or to accept suitable
12 work of [section 96.5, subsection 3](#), are waived if the
13 individual is not disqualified for benefits under section 96.5,
14 subsection 1, paragraph "h".

15 b. An employer may report to the department in a manner
16 prescribed by the department a job applicant who applies
17 for a job for which the applicant does not meet the minimum
18 lawful requirements or for which the applicant is manifestly
19 unqualified. If such an individual claimed benefits for the
20 week during which the application was made, the department
21 shall provide the individual written notice that such a report
22 has been made. If three such reports regarding an individual
23 are made during the individual's benefit year for applications
24 during weeks in which the individual claimed benefits, the
25 department shall initiate an investigation as to whether the
26 individual was earnestly and actively seeking work during the
27 weeks in question. There shall be a rebuttable presumption
28 that such an individual was not earnestly and actively seeking
29 work during the weeks in question. Such an individual shall
30 be subject to any applicable penalties provided under this
31 chapter.

32 Sec. 2. APPLICABILITY. This Act applies to any new claim of
33 unemployment benefits with an effective date on or after July
34 7, 2019.

35 EXPLANATION

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

3 This bill authorizes an employer to report to the department
4 of workforce development a job applicant who applies for
5 a job for which the applicant does not meet the minimum
6 lawful requirements or for which the applicant is manifestly
7 unqualified. If such an individual claimed unemployment
8 benefits for the week during which the application was made,
9 the bill requires the department to provide the individual
10 written notice that such a report has been made. If three
11 such reports regarding an individual are made during the
12 individual's unemployment benefit year for applications during
13 weeks in which the individual claimed unemployment benefits,
14 the bill requires the department to initiate an investigation
15 as to whether the individual was earnestly and actively seeking
16 work during the weeks in question. The bill provides that
17 there shall be a rebuttable presumption that such an individual
18 was not earnestly and actively seeking work during the weeks in
19 question. The bill provides that such an individual shall be
20 subject to any applicable penalties provided under Code chapter
21 96, which governs unemployment insurance. Such penalties
22 may include but are not limited to disqualification from
23 eligibility for unemployment benefits pursuant to Code section
24 96.5, subsection 3.

25 The bill applies to any new claim of unemployment benefits
26 with an effective date on or after July 7, 2019.