

Senate File 2168 - Introduced

SENATE FILE 2168
BY COMMITTEE ON WORKFORCE

(SUCCESSOR TO SSB 3044)

A BILL FOR

1 An Act relating to programs and procedures of the department of
2 workforce development and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

REEMPLOYMENT CASE MANAGEMENT PROGRAM

Section 1. Section 96.4, subsection 3, paragraph a, Code 2026, is amended to read as follows:

a. The individual is able to work, is available for work, and is earnestly and actively seeking work. An individual is considered to be earnestly and actively seeking work if the individual is participating in and compliant with the department's reemployment case management program under section 96.11, subsection 17. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.1A, subsection 37, paragraph "b", subparagraph (1), or temporarily unemployed as defined in section 96.1A, subsection 37, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3, are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

Sec. 2. Section 96.11, Code 2026, is amended by adding the following new subsection:

NEW SUBSECTION. 17. *Reemployment case management program.* The department, as a required part of its administration of unemployment compensation benefits, shall operate a reemployment case management program. The program shall provide individualized reemployment services to claimants who are no longer attached to work. The services shall begin as soon as the week after, and not later than two weeks after, the filing of an initial claim for benefits. The department shall adopt rules pursuant to chapter 17A regarding participation in the reemployment case management program.

DIVISION II

UNEMPLOYMENT BENEFITS — MEANS OF COMMUNICATION

Sec. 3. Section 96.6, subsection 2, Code 2026, is amended to read as follows:

1 2. *Initial determination.* A representative designated by the
2 director shall promptly notify all interested parties to the
3 claim of its filing, and the parties have ten days from the date
4 of issuance of the notice of the filing of the claim to protest
5 payment of benefits to the claimant. ~~All interested parties~~
6 ~~shall select a format as specified by the department to receive~~
7 ~~such notifications.~~ The representative shall promptly examine
8 the claim and any protest, take the initiative to ascertain
9 relevant information concerning the claim, and, on the basis of
10 the facts found by the representative, shall determine whether
11 or not the claim is valid, the week with respect to which
12 benefits shall commence, the weekly benefit amount payable and
13 its maximum duration, and whether any disqualification shall
14 be imposed. The claimant has the burden of proving that the
15 claimant meets the basic eligibility conditions of section 96.4.
16 The employer has the burden of proving that the claimant is
17 disqualified for benefits pursuant to section 96.5, except as
18 provided by this subsection. The claimant has the initial
19 burden to produce evidence showing that the claimant is not
20 disqualified for benefits in cases involving section 96.5,
21 subsections 10 and 11, and has the burden of proving that a
22 voluntary quit pursuant to section 96.5, subsection 1, was for
23 good cause attributable to the employer and that the claimant is
24 not disqualified for benefits in cases involving section 96.5,
25 subsection 1, paragraphs "a" through "h". Unless the claimant or
26 other interested party, after notification or within ten calendar
27 days after notification was issued, files an appeal from the
28 decision, the decision is final and benefits shall be paid or
29 denied in accordance with the decision. If an administrative
30 law judge affirms a decision of the representative, or the
31 appeal board affirms a decision of the administrative law judge
32 allowing benefits, the benefits shall be paid regardless of any
33 appeal ~~which~~ that is thereafter taken, but if the decision is
34 finally reversed, no employer's account shall be charged with
35 benefits so paid and this relief from charges shall apply to both

1 contributory and reimbursable employers, notwithstanding section
2 96.8, subsection 5.

3 Sec. 4. Section 96.6, subsection 3, paragraph a, Code 2026,
4 is amended to read as follows:

5 a. Unless the appeal is withdrawn, an administrative law
6 judge, after affording the parties reasonable opportunity for
7 fair hearing, shall affirm or modify the findings of fact and
8 decision of the representative. The hearing shall be conducted
9 pursuant to the provisions of chapter 17A relating to hearings
10 for contested cases. Before the hearing is scheduled, the
11 parties shall be afforded the opportunity to choose either a
12 telephone hearing or an in-person hearing. A request for an
13 in-person hearing shall be approved unless the in-person hearing
14 would be impractical because of the distance between the parties
15 to the hearing. The notice for a telephone or in-person hearing
16 shall be ~~sent~~ provided to all the parties at least ten calendar
17 days before the hearing date. Reasonable requests for the
18 postponement of a hearing shall be granted. The parties shall
19 be duly notified of the administrative law judge's decision,
20 together with the administrative law judge's reasons for the
21 decision, which is the final decision of the department, unless
22 within fifteen days after the date of ~~notification~~ the decision
23 ~~or mailing of the date~~ the decision becomes available in the
24 department's online portal, further appeal is initiated pursuant
25 to this section.

26 Sec. 5. Section 96.7, subsection 2, paragraph a, subparagraph
27 (6), Code 2026, is amended to read as follows:

28 (6) Within forty days after the close of each calendar
29 quarter, the department shall notify each employer of the
30 amount of benefits charged to the employer's account during that
31 quarter. The notification shall show the name of each individual
32 to whom benefits were paid, the individual's social security
33 number, and the amount of benefits paid to the individual.
34 An employer ~~which~~ that has not been notified as provided
35 in section 96.6, subsection 2, of the allowance of benefits

1 to an individual, may within thirty days after the date of
2 ~~mailing of the notification~~ the decision becomes available in
3 the department's online portal appeal to the department for a
4 hearing to determine the eligibility of the individual to receive
5 benefits. The appeal shall be referred to an administrative
6 law judge for hearing and the employer and the individual shall
7 receive notice of the time and place of the hearing.

8 Sec. 6. Section 96.7, subsection 2, paragraph e, subparagraph
9 (1), Code 2026, is amended to read as follows:

10 (1) The department shall fix the contribution rate for each
11 employer and notify the employer of the rate by ~~regular mail to~~
12 ~~the last known address of the employer~~ electronic mail stating
13 that the rate is available in the department's online portal.
14 An employer may appeal to the department for a revision of the
15 contribution rate within thirty days from the date of the notice
16 to the employer. After providing an opportunity for a hearing,
17 the department may affirm, set aside, or modify its former
18 determination and may grant the employer a new contribution
19 rate. The department shall notify the employer of its decision
20 by ~~regular mail~~ electronic mail stating that the decision is
21 available in the department's online portal. Judicial review of
22 action of the department may be sought pursuant to chapter 17A.

23 Sec. 7. Section 96.7, subsection 4, Code 2026, is amended to
24 read as follows:

25 4. *Employer liability determination.*

26 a. The department shall initially determine all questions
27 relating to the liability of an employing unit or employer,
28 including the amount of contribution, the contribution rate, and
29 successorship. A copy of the initial determination shall be ~~sent~~
30 ~~by regular mail to the last address, according to the records~~
31 ~~of the department, of~~ made available in the department's online
32 portal for each affected employing unit or employer.

33 b. The affected employing unit or employer may appeal in
34 writing to the department from the initial determination. An
35 appeal shall not be entertained for any reason by the department

1 unless the appeal is filed with the department within thirty
2 days from the date on which the initial determination ~~is mailed~~
3 becomes available in the department's online portal. If an
4 appeal is not so filed, the initial determination shall with the
5 expiration of the appeal period become final and conclusive in
6 all respects and for all purposes.

7 c. A hearing on an appeal shall be conducted according to
8 rules adopted by the department pursuant to chapter 17A. A copy
9 of the decision of the administrative law judge shall be ~~sent by~~
10 ~~regular mail to the last address, according to the records of the~~
11 ~~department, of~~ made available in the department's online portal
12 for each affected employing unit or employer.

13 d. The department's decision on the appeal shall be final
14 and conclusive as to the liability of the employing unit or
15 employer unless the employing unit or employer files an appeal
16 for judicial review pursuant to subsection 5 within thirty
17 days after the date ~~of mailing of the decision as provided in~~
18 ~~subsection 5~~ becomes available in the department's online portal.

19 Sec. 8. Section 96.7, subsection 8, paragraph b, subparagraph
20 (2), Code 2026, is amended to read as follows:

21 (2) The nonprofit organization shall pay the bill not later
22 than thirty days after the date the bill was ~~mailed or~~
23 ~~otherwise delivered to the last known address of the nonprofit~~
24 ~~organization~~ becomes available in the department's online portal,
25 unless the nonprofit organization has filed an application for
26 redetermination in accordance with subparagraph (4).

27 Sec. 9. Section 96.7, subsection 8, paragraph b, subparagraph
28 (4), Code 2026, is amended to read as follows:

29 (4) The amount due specified in a bill from the department
30 is conclusive unless, not later than fifteen days following the
31 date the bill was ~~mailed or otherwise delivered to the last~~
32 ~~known address of the nonprofit organization~~ becomes available in
33 the department's online portal, the nonprofit organization files
34 an application for redetermination with the department setting
35 forth the grounds for the application. The department shall

1 promptly review the amount due specified in the bill and shall
2 issue a redetermination. The redetermination is conclusive on
3 the nonprofit organization unless, within thirty days after the
4 ~~mailing of the notification~~ date the redetermination becomes
5 available in the department's online portal, the nonprofit
6 organization appeals to the department for a hearing to determine
7 the eligibility of the individual to receive benefits. The
8 appeal shall be referred to an administrative law judge for
9 hearing, and the employer and the individual shall receive notice
10 of the time and place of the hearing.

11 Sec. 10. Section 96.11, Code 2026, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 18. *Alternative to electronic*
14 *communications.* Notwithstanding the provisions of this chapter
15 that require employers and individuals to provide information to
16 the department by electronic means, and the department to provide
17 notifications to an employer or an individual by electronic
18 means, the director may establish by rule an alternate method
19 or methods for employers and individuals to provide the required
20 information to the department and for the department to provide
21 the required notifications to an employer or an individual in
22 circumstances when it is established, to the satisfaction of
23 the director or the director's designee, that the employer or
24 individual is unable to provide the information to the department
25 by electronic means or is unable to receive notifications from
26 the department by electronic means.

27 DIVISION III

28 SUMMER YOUTH INTERN PILOT PROGRAM — REPEAL

29 Sec. 11. Section 84A.1B, subsection 3, unnumbered paragraph
30 1, Code 2026, is amended to read as follows:

31 Create, and update as necessary, a list of high-demand jobs
32 statewide for purposes of the future ready Iowa registered
33 apprenticeship programs created in chapter 84F, ~~the summer~~
34 ~~youth intern pilot program established under section 84A.12,~~
35 the Iowa employer innovation program established under section

1 subparagraph (7), subparagraph division (a), unnumbered paragraph
2 1, Code 2026, is amended to read as follows:

3 ~~Ten~~ Twelve members who shall be representatives of businesses
4 in the state to whom each of the following applies, and at least
5 one of whom shall represent small businesses as defined by the
6 United States small business administration:

7 Sec. 16. Section 84A.1A, subsection 1, paragraph a,
8 subparagraph (7), subparagraph division (b), unnumbered paragraph
9 1, Code 2026, is amended to read as follows:

10 ~~Four~~ Five members who shall be representatives of the
11 workforce in the state and who shall include all of the
12 following:

13 EXPLANATION

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

16 This bill relates to programs and procedures of the department
17 of workforce development (department).

18 DIVISION I — REEMPLOYMENT CASE MANAGEMENT PROGRAM. The
19 bill requires the department, as a required part of its
20 administration of unemployment compensation benefits, to operate
21 a reemployment case management program. The program shall
22 provide individualized reemployment services to claimants who
23 are no longer attached to work. The bill specifies the time
24 period for the services. The bill provides that an individual is
25 considered to be earnestly and actively seeking work for purposes
26 of eligibility for benefits if the individual is participating in
27 and compliant with the program.

28 DIVISION II — UNEMPLOYMENT BENEFITS — MEANS OF
29 COMMUNICATION. The bill replaces various references to
30 communication by mail with communication in the department's
31 online portal or by electronic mail. The references relate
32 to determination of eligibility for unemployment benefits and
33 determination of employer contribution rates for such benefits.

34 The bill authorizes the director of the department to
35 establish by rule an alternate method or methods for employers

1 and individuals to provide required information relating to
2 unemployment benefits to the department and for the department
3 to provide required notifications to an employer or an individual
4 in circumstances when it is established that the employer or
5 individual is unable to provide the information to the department
6 by electronic means or is unable to receive notifications from
7 the department by electronic means.

8 DIVISION III — SUMMER YOUTH INTERN PILOT PROGRAM — REPEAL.
9 The bill repeals the summer youth intern pilot program. This
10 division takes effect June 30, 2026.

11 DIVISION IV — MEMBERSHIP OF WORKFORCE DEVELOPMENT BOARD. The
12 bill adds four specified members to the state workforce
13 development board.

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