

WORKFORCE DEVELOPMENT DEPARTMENT[871]

Adopted and Filed Emergency

Rule making related to _____

The Workforce Development Department hereby Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 96.11.

State or Federal Law Implemented

This rule making implements, in whole or in part, the CARES Act, Pub.L. 116–136.

Purpose and Summary

These proposed rule change is requested because the U.S. Department of Labor has added a requirement as a result of the pandemic and included in UIPL 13-20 that states must require employers to notify their employees of the availability of UI upon separation.

Reason for Adoption of Rule Making Without Prior Notice and Opportunity for Public Participation

Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation are unnecessary or impractical because emergency adoption approved by Administrative Rules Review Committee. Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation are unnecessary or impractical because emergency adoption was approved by the Administrative Rules Review Committee. In compliance with Iowa Code section 17A.4(3)“a,” the Administrative Rules Review Committee at its July 14, 2020, meeting reviewed this rule making and approved the emergency adoption.

In compliance with Iowa Code section 17A.4(3)“a,” the Administrative Rules Review Committee at its July 14, 2020, meeting reviewed the Department’s determination and this rule making and approved the emergency adoption.

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section 17A.5(2)“b”(1)(b) the Department also finds that the normal effective date of this rule making, 35 days after publication, should be waived and the rule making made effective on July 14, 2020, because Pursuant to Iowa Code section 17A.5(2)“b”(1)(a), the Authority also finds that the normal effective date of this rule making, 35 days after publication, should be waived and the rule making made effective on July 14, 2020. Due to the recent pandemic, the U.S. Department of Labor has added a requirement, and included in interpretation of UIPL 13-20, that states must require employers to notify their employees of the availability of UI upon separation. This rule making will confer a benefit, and the Authority has determined that an immediate effective date is useful to further the purposes of this rule making and comply with this federal requirement.

Adoption of Rule Making

This rule making was adopted by the Workforce Development Department on July 14, 2020.

Concurrent Publication of Notice of Intended Action

In addition to its adoption on an emergency basis, this rule making has been initiated through the normal rule-making process and is published herein under Notice of Intended Action as **ARC** to allow for public comment.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on July 14, 2020.

The following rule-making action is adopted:

ITEM 1. Adopt the following new rule 22.19:

22.19: Notification of Availability of Unemployment Insurance

22.19 (1) Upon separation from employment, an employer shall provide documentation to an employee of the availability of unemployment insurance.

22.19 (2) The notice shall inform employees of the following:

- a. Unemployment insurance benefits are available to workers who are unemployed and who meet the State's eligibility requirements;
- b. Employees may file a claim in the first week that employment stops, or work hours are reduced;
- c. Employees may file claims online at iowaworkforcedevelopment.gov or by telephone at (866)239-0843.
- d. Employees must provide IWD with the following information to process the claim:
 - (1) full legal name;
 - (2) social security number;
 - (3) authorization to work (if the employee is not a U.S. citizen or resident);
 - (4) Last employer name and address;
 - (5) Start and end dates of your last employment;
 - (6) Additional information upon request of the department.