

February 28, 1963.

Passed on File. *Revised 3/1* By MOWRY, MENSING, PAUL, KREAGER,
file as amended 3/27 HAGIE, HIRSCH and VETTER.

House File 491

Passed House, Date *4-19-63*

Passed Senate, Date.....

Vote: Ayes *62* Nays *35*

Vote: Ayes..... Nays.....

Approved.....

hail out table 4/19

ayes 27
nays 61 *Lost*

A BILL FOR

An Act to amend chapter ninety-six (96), Code 1962, relating to unemployment compensation benefits, the eligibility therefor, causes for disqualification, changes in the contribution rates for certain employers, increases in weekly benefit amounts, and the administration thereof.

Be It Enacted by the General Assembly of the State of Iowa:

This is a Companion Bill; for complete text see Senate File 338.

EXPLANATION OF HOUSE FILE 491

This bill will increase the maximum weekly benefit amount of unemployment compensation from the present \$44 per week to \$48 per week under the variable maximum plan now in the law and adjusting the entire schedule of benefits depending upon earnings requirements and family status.

This bill is designed to strengthen the qualifying requirements for benefits by persons who are seasonable or temporary employees and are not regularly in the employment market. It will also strengthen the requirement for qualification for a subsequent claim.

The bill stiffens up the penalties against a claimant-employee who has been convicted of a felony or has been intoxicated on the job. Pregnant women are disqualified. It will also require a deputy or claim-taker who in the first instance examines a claim, and who finds a possible reason for disqualification, to report such possible reason for disqualification to the commission and to the employer.

The bill also increases the contribution rates of an employer whose account is deficit or precariously low.

The bill provides for the giving of employers due notice of charges against the employer's account when the employer's account is to be charged therewith.

April 22, 1963.

House File 491

By MOWRY, MENSING, PAUL, KREAGER,
HAGIE, HIRSCH and VETTER.
(As Amended and Passed by the House.)

Passed House, Date.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Vote: Ayes..... Nays.....

Approved.....

*Staffing Committee
4/22*

A BILL FOR

An Act to amend chapter ninety-six (96), Code 1962, relating to unemployment compensation benefits, the eligibility therefor, causes for disqualification, changes in the contribution rates for certain employers, increases in weekly benefit amounts, and the administration thereof.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section ninety-six point three (96.3), Code 1962,
2 subsection four (4), is amended by striking from line twelve
3 (12), the following:

4	“\$44.00	\$1,072.51 and over”
5	and substituting in lieu thereof, the following:	
6	“\$48.00	\$1,192.51—and over
7	47.00	1,162.51—1,192.50
8	46.00	1,132.51—1,162.50
9	45.00	1,102.51—1,132.50
10	44.00	1,072.51—1,102.50”

11 Also, by striking therefrom lines forty-seven (47) to
12 seventy-two (72) and substituting in lieu thereof, the
13 following:

14 “Provided, however, that the weekly benefit amount
15 payable to any individual for any one week shall not exceed:
16 Forty-eight dollars if the individual has no spouse or a
17 nonworking spouse and four or more children;
18 Forty-four dollars if the individual has no spouse or a

- 19 nonworking spouse and three children;
20 Forty-one dollars if the individual has no spouse or a
21 nonworking spouse and two children;
22 Thirty-eight dollars if the individual has no spouse or a
23 nonworking spouse and one child;
24 Thirty-five dollars if the individual has a nonworking spouse
25 and no children;
26 Forty-three dollars if an individual has a working spouse
27 and four or more children;
28 Forty dollars if the individual has a working spouse and
29 three children;
30 Thirty-seven dollars if the individual has a working spouse
31 and two children;
32 Thirty-five dollars if the individual has a working spouse
33 and one child;
34 Thirty-two dollars if the individual is not married or is
35 married and has a working spouse and no children;”.

1 Sec. 2. Section ninety-six point four (96.4), Code 1962,
2 subsection five (5) is amended by striking from line six (6), the
3 words “a calendar quarter” and substituting in lieu thereof, the
4 words “each of two calendar quarters”; and also, by striking
5 from line twelve (12) the word “one” and inserting in lieu thereof
6 the word “two”.

7 Section ninety-six point four (96.4), Code 1962, is further
8 amended by adding the following at the end of subsection five (5):
9 “However, if he has been paid wages for insured work in the
10 construction industry of not less than five hundred dollars in
11 that calendar quarter in his base period in which his wages were
12 the highest, and also he has been paid wages for insured work in

13 the construction industry of not less than two hundred dollars
14 in a calendar quarter in his base period other than the calendar
15 quarter in which his wages were the highest, the requirement of
16 this subsection with respect to wages in a third calendar quarter
17 shall not apply.”

1 Sec. 3. Section ninety-six point five (96.5), Code 1962, is
2 amended by adding at the end of paragraph “g” of subsection one
3 (1) the words “, and shall be disqualified for the duration of
4 his unemployment and until he has thereafter been paid wages in
5 insured work in an amount of at least two hundred dollars”.

6 Further amend said section ninety-six point five (96.5), Code
7 1962, by adding to subsection one (1) a new paragraph “i” as
8 follows:

9 “i. However, no woman shall be deemed to be able to work
10 and available for work for any week during the ninety-day period
11 immediately before the expected birth of her child and for any
12 week during the sixty-day period immediately following the birth
13 of her child, and until she has earned two hundred dollars in
14 insured work subsequent to the birth of her child. If said woman
15 shall have been separated from her employment by reason of any
16 labor union contract or contract of hire which provides for such
17 separation because of pregnancy, she shall also be deemed not to
18 be able to work and available for work during the period between
19 said separation from employment and the birth of her child, and
20 until she has earned two hundred dollars in insured work subsequent
21 to the birth of her child. The commission may require the
22 production of doctors’ certificates to establish such dates.”

23 Also, section ninety-six point five (96.5), Code 1962,

24 subsection one (1), is amended by adding a new paragraph j as
25 follows:

26 "j. However, if the commission finds that he was convicted and
27 imprisoned
27 for any criminal offense, and was thereby prevented from reporting
28 for work and working, he shall be deemed to have left his work
29 voluntarily without good cause attributable to his employer."

30 Also, section ninety-six point five (96.5), Code 1962,
31 subsection two (2), is amended by adding thereto a new
32 paragraph as follows:

33 "But if the commission finds that he has been discharged
34 because he has been convicted of or has pleaded guilty to a felony,
35 or has been intoxicated at his place of employment, he shall
36 forfeit fifteen (15) weeks benefits. If the commission finds that
37 he has been convicted of a felony against or injurious to his
38 employer, all wage credits earned by him during that employment
39 shall be cancelled."

40 Also, section ninety-six point five (96.5), Code 1962,
41 subsection five (5), paragraph c, is amended by adding at the
42 end thereof, the following:

43 "Provided, however, if a claimant has been laid off (and such
44 lay off is not a termination because of a contract provision
45 therefor), and he meets all other eligibility requirements of this
46 chapter, he shall not be disqualified by the provisions of this
47 paragraph."

48 Also, section ninety-six point five (96.5), Code 1962,
49 subsection six (6) is amended by adding at the end thereof the
50 following:

51 "A law of the United States providing any payments of any

52 type and in any amounts for periods of unemployment due to lack
53 of work shall be considered an unemployment compensation law
54 of the United States.”.

1 Sec. 4. Section ninety-six point six (96.6), Code 1962,
2 subsection two (2), is amended by inserting after the word
3 “party” in line twenty-six (26), the following:
4 “including any employer against whose account such benefits
5 may be charged.”.

6 Also, section ninety-six point six (96.6), Code 1962,
7 subsection two (2) is amended by inserting after the period
8 in line twenty-seven (27), the following new sentence:
9 “If the deputy, the claim-taker, or local office representative,
10 finds a reason for a disqualification for benefits may exist, he
11 shall report same to the commission and to claimant’s employer.”.

1 Sec. 5. Section ninety-six point seven (96.7), Code 1962,
2 subsection three (3), paragraph d, is amended by striking from
3 line fifteen (15) thereof, the following words “shall be:”, and
4 substituting in lieu thereof, the following:

5 “subject to the adjustment hereinafter provided, shall
6 be assigned in accordance with the following table. Percentage
7 of Excess in said table means the percentage resulting from
8 dividing the excess of contributions paid over benefits charged
9 by the employer’s average annual payroll.”.

10 Also, by striking from lines sixteen (16) and seventeen (17),
11 the following:

12 “If Percentage of Average Annual Payroll is:”

13 and substituting in lieu thereof:

14 “Percentage of Excess is:”

15 Also, by striking from line eighteen (18), the following:

16 "2.7% less than 2.5%"

17 and by substituting in lieu thereof, the following:

18 "4.0% less than .5%

19 3.6% .5% but less than 1.0%

20 3.3% 1.0% but less than 1.5%

21 3.0% 1.5% but less than 2.0%

22 2.7% 2.0% but less than 2.5%"

23 Also, by inserting after the schedule in said paragraph, and
24 after line thirty-four (34) thereof, the following paragraphs:

25 "(1) Provided that in no event shall any employer's
26 contribution rate be more than two point seven per cent (2.7%)
27 of the first twenty thousand dollars (\$20,000) of wages for
28 insured work paid during any calendar quarter.

29 (2) Provided further, that the maximum contribution rate
30 of any employer for the calendar year 1964 shall not be more
31 than three per cent (3%), for the calendar year 1965 shall not
32 be more than three point three per cent (3.3%), and for the
33 calendar year 1966 shall not be more than three point six
34 per cent (3.6%)."

35 Also, by numbering the existing paragraph following the
36 schedule as "(3)".

37 Also, section ninety-six point seven (96.7), Code 1962,
38 subsection three (3), paragraph e, is amended by striking
39 from line ten (10), the word "eight-tenths" and by substituting
40 in lieu thereof the word "nine-tenths".

41 Also, section ninety-six point seven (96.7), Code 1962,
42 subsection three (3), is amended by inserting at the end

43 thereof, the following paragraph:

44 "g. Due notice of charges. No charge shall be made
45 against an employer's account unless the commission has
46 first notified the employer of a claimant in the period
47 between the time of the filing of the claim and the base period,
48 and also, has notified the base period employers of said
49 claimant when a claim is filed as provided in section ninety-six
50 point six (96.6) of this chapter, and subsequent thereto, due
51 notice of a benefit payment (including name, social security
52 account number, amount, and the week for which payment is made)
53 has been sent to each chargeable employer at the time, meaning
54 in the same calendar week, such benefit payment, meaning the
55 first check, became the first chargeable payment to an employer's
56 account."

1 Sec. 6. Section ninety-six point nineteen (96.19), Code
2 1962, subsection ten (10), paragraph b, is amended by striking
3 from line six (6) thereof the word "three" and substituting
4 therefor the word "six"; also, by striking from paragraph c,
5 line five (5), the word "three" and substituting in lieu thereof,
6 the word "six".

1 Sec. 7. This Act shall be effective and applicable to claims
2 the benefit year of which commences on or after July 4, 1963.

EXPLANATION OF HOUSE FILE 491

This bill will increase the maximum weekly benefit amount of unemployment compensation from the present forty-four dollars (\$44.00) per week to forty-eight dollars (\$48.00) per week under the variable maximum plan now in the law and adjusting the entire schedule of benefits depending upon earnings requirements and family status.

This bill is designed to strengthen the qualifying requirements for benefits by persons who are seasonable or temporary employees and are not regularly in the employment market. It will also strengthen the requirements for qualification for a subsequent claim.

The bill stiffens up the penalties against a claimant-employee who has been convicted of a felony or has been intoxicated on the job. Pregnant women are disqualified. It will also require a deputy or claim-taker who in the first instance examines a claim, and who finds a possible reason for disqualification, to report such possible reason for disqualification to the commission and to the employer.

The bill also increases the contribution rates of an employer whose account is deficit or precariously low.

The bill provides for the giving of employers due notice of charges against the employer's account when the employer's account is to be charged therewith.