

FILED JAN 22 2028

SENATE FILE **2028**  
BY HARPER

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for unemployment benefits for individuals who  
2 take parental leave.

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

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**S.F. 2028**  
BUSINESS & LABOR

1 Section 1. Section 96.3, subsection 5, Code 2001, is  
2 amended to read as follows:

3 5. DURATION OF BENEFITS. The maximum total amount of  
4 benefits payable to an eligible individual during a benefit  
5 year shall not exceed the total of the wage credits accrued to  
6 the individual's account during the individual's base period,  
7 or twenty-six times the individual's weekly benefit amount,  
8 whichever is the lesser. The director shall maintain a  
9 separate account for each individual who earns wages in  
10 insured work. The director shall compute wage credits for  
11 each individual by crediting the individual's account with  
12 one-third of the wages for insured work paid to the individual  
13 during the individual's base period. However, the director  
14 shall recompute wage credits for an individual who is laid off  
15 due to the individual's employer going out of business at the  
16 factory, establishment, or other premises at which the  
17 individual was last employed, by crediting the individual's  
18 account with one-half, instead of one-third, of the wages for  
19 insured work paid to the individual during the individual's  
20 base period. Benefits paid to an eligible individual shall be  
21 charged against the base period wage credits in the  
22 individual's account which have not been previously charged,  
23 in the inverse chronological order as the wages on which the  
24 wage credits are based were paid. However if the state "off  
25 indicator" is in effect and if the individual is laid off due  
26 to the individual's employer going out of business at the  
27 factory, establishment, or other premises at which the  
28 individual was last employed, the maximum benefits payable  
29 shall be extended to thirty-nine times the individual's weekly  
30 benefit amount, but not to exceed the total of the wage  
31 credits accrued to the individual's account. However, the  
32 maximum total amount of benefits payable to an eligible  
33 individual who is unemployed due to parental leave as defined  
34 in section 96.19, subsection 38A, during a benefit year shall  
35 not exceed the total of the wage credits accrued to the

1 individual's account during the individual's base period, or  
2 twelve times the individual's weekly benefit amount, whichever  
3 is the lesser.

4 The maximum total amount of benefits otherwise payable to  
5 an eligible individual during a benefit year shall be reduced  
6 by the total amount of benefits the individual receives as  
7 unemployed due to parental leave during that benefit year.

8 Sec. 2. Section 96.4, subsection 1, Code 2001, is amended  
9 to read as follows:

10 1. The individual has registered for work at and  
11 thereafter has continued to report at an employment office in  
12 accordance with such regulations as the department may  
13 prescribe. The provisions of this subsection shall be waived  
14 if the individual is deemed temporarily unemployed as defined  
15 in section 96.19, subsection 38, paragraph "c", or is deemed  
16 unemployed due to parental leave as defined in section 96.19,  
17 subsection 38A.

18 Sec. 3. Section 96.4, subsection 3, Code 2001, is amended  
19 to read as follows:

20 3. The individual is able to work, is available for work,  
21 and is earnestly and actively seeking work. This subsection  
22 is waived if the individual is deemed partially unemployed,  
23 while employed at the individual's regular job, as defined in  
24 section 96.19, subsection 38, paragraph "b", unnumbered  
25 paragraph 1, ~~or~~ temporarily unemployed as defined in section  
26 96.19, subsection 38, paragraph "c", or unemployed due to  
27 parental leave as defined in section 96.19, subsection 38A.

28 The work search requirements of this subsection and the  
29 disqualification requirement for failure to apply for, or to  
30 accept suitable work of section 96.5, subsection 3 are waived  
31 if the individual is not disqualified for benefits under  
32 section 96.5, subsection 1, paragraph "h".

33 Sec. 4. Section 96.5, subsection 1, Code Supplement 2001,  
34 is amended by adding the following new paragraph:

35 NEW PARAGRAPH. k. The individual is unemployed due to

1 parental leave as defined in section 96.19, subsection 38A.

2 Sec. 5. Section 96.19, Code Supplement 2001, is amended by  
3 adding the following new subsection:

4 NEW SUBSECTION. 38A. UNEMPLOYED DUE TO PARENTAL LEAVE.

5 An individual shall be deemed "unemployed due to parental  
6 leave" in any week with respect to which no wages are payable  
7 to the individual and during which the individual performs no  
8 services and the individual has taken a leave of absence from  
9 an employer or has left employment to be with a child during  
10 the first year of the child's life or to be with an adopted  
11 child during the first year following placement of the adopted  
12 child with the individual.

13 EXPLANATION

14 This bill provides that a person who takes a leave of  
15 absence or has left employment to be with a child or adopted  
16 child for the first year after birth or placement for adoption  
17 shall be entitled to up to 12 weeks of unemployment benefits.  
18 The bill provides that the entitlement of up to 12 weeks of  
19 benefits for parental leave does not increase the yearly 26-  
20 week maximum benefits amount. The bill provides that the  
21 able, available, and work search requirements and the  
22 disqualification for voluntarily quitting do not apply to a  
23 person who takes parental leave.

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