

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 5 - 0 - 0
Yeas: Avakian, Beyer, Gordly, Monroe, Prozanski
Nays: 0
Exc.: 0
Prepared By: Anna Braun, Administrator
Meeting Dates: 1/29

WHAT THE MEASURE DOES: Expands the Employment Director's authority to reconsider unemployment tax decisions made by hearings officers.

ISSUES DISCUSSED:

- Appeal rights
- Who can ask for the reconsideration
- Examples of when reconsideration may be used

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Currently, appeals of administrative decisions issued by the Unemployment Insurance Tax Section of the Employment Department are heard by the Office of Administrative Hearings (OAH). After a hearing decision is issued by the OAH, grounds for reconsideration by the Director are limited to clerical errors, errors of computation, and facts not previously known by the Director. This bill will expand the grounds under which the Director may issue an order on reconsideration to include two new reasons, misinformation provided to a party by the department and errors caused by the misapplication of law.

The Employment Department Director currently has authority to reconsider such decisions in unemployment insurance benefit cases.