

STAFF MEASURE SUMMARY

Senate Committee On Workforce

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/27/15

Action: Do Pass The A-Eng Bill.

Meeting Dates: 03/30, 04/27

Vote:

Yeas: 5 - Dembrow, Gelser, Knopp, Rosenbaum, Thatcher

Prepared By: Matthew Germer, Committee Administrator

WHAT THE MEASURE DOES:

Allows Employment Department to dismiss report for hearing with Office of Administrative Hearings under specified circumstances. Specifies that if Department dismisses a hearing request, party may request a hearing on the dismissal.

Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Nature of authority granted to Employment Department
- Opportunity for hearing dismissal disputes

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

A claimant for unemployment insurance benefits or a party to the claim can request a hearing before an administrative law judge at the Office of Administrative Hearings. Under existing statute, only the administrative law judge may dismiss such a request, and only under specified circumstances.

House Bill 2439-A allows the Employment Department to dismiss a request for a hearing in the following four situations: 1) the request for a hearing is withdrawn by the requesting party; 2) issues are resolved by cancellation or amendment of the decision; 3) the request for a hearing is filed prior to the date of the written decision or written determination that is the subject of the request; or 4) the request was made by a party not entitled to such a request.