

AMENDED IN SENATE JUNE 17, 2014

AMENDED IN SENATE JUNE 4, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1556

**Introduced by Assembly Member Perea
(Coauthors: Assembly Members Ian Calderon, Frazier, Gonzalez,
and Wieckowski)**

January 27, 2014

An act to amend Section 316 of, and to add Sections 320.3, 1253.92, and 1326.5 to, the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1556, as amended, Perea. Unemployment insurance.

Existing unemployment insurance law requires all standard information employee pamphlets provided by the Employment Development Department concerning unemployment and disability insurance programs to be printed in English and separately in Spanish, or both.

This bill would instead require those pamphlets to be printed in English and the 7 other most commonly used languages among participants in each program. This bill would require the department to make pages on its Internet Web site that provide information regarding applying for, and receiving, unemployment insurance benefits available in the 7 languages, other than English, most commonly used by unemployment insurance applicants and claimants.

Existing unemployment insurance law requires the Employment Development Department to pay unemployment compensation benefits to unemployed individuals meeting specified requirements.

This bill would require the Director of Employment Development to periodically review policies and practices used to determine eligibility for and the amount of benefits in the unemployment insurance program, as specified, and report to the Legislature the results of the first review on or before July 1, 2015.

Existing law prohibits an unemployed individual from being disqualified for benefits solely on the basis that he or she is a student.

This bill would prohibit an unemployed individual who is meeting specified requirements and is certifying for continued unemployment compensation from being scheduled for a determination of eligibility for a week in which the individual commenced or is participating in a training or education program and has notified the Employment Development Department of the training or education program. This bill would permit the department to schedule and conduct a determination of eligibility if the department determines that the commencement of, or the ongoing participation in, a training or education program conflicts with the eligibility requirements for unemployment compensation. Because this bill would make changes to existing eligibility requirements for unemployment compensation benefits that would result in additional amounts being payable from the Unemployment Fund, a continuously appropriated fund, the bill would make an appropriation.

Existing law requires claims *for unemployment compensation* to be made in accordance with authorized regulations of the director.

This bill would require a continued claim *for unemployment benefits* to be submitted within a specified period. It would also prohibit ~~the director from reevaluating a continued claim for eligibility solely because it was submitted 15 to 21 days, inclusive, from the end of the last week for which benefits were paid~~ *an unemployed individual from being disqualified for unemployment compensation benefits solely on the basis that the continued claim was submitted within a specified period.*

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 316 of the Unemployment Insurance
2 Code is amended to read:

3 316. (a) There shall be maintained within an appropriate
4 division of the department, a bureau, section, or unit relating to
5 education and public instruction for the purpose of informing
6 employers and workers of their rights and responsibilities under
7 this code, and of instructing the public generally concerning its
8 basic purposes, provisions, and operations. All standard information
9 employee pamphlets concerning unemployment and disability
10 insurance programs shall be printed in English and the seven other
11 most commonly used languages among participants in each
12 program in such number as he or she may determine.

13 (b) The department shall make the pages on its Internet Web
14 site that provide information regarding applying for, and receiving,
15 unemployment insurance benefits available in the seven languages,
16 other than English, most commonly used by unemployment
17 insurance applicants and claimants.

18 SEC. 2. Section 320.3 is added to the Unemployment Insurance
19 Code, to read:

20 320.3. (a) The director shall periodically review policies and
21 practices used to determine eligibility for and the amount of
22 benefits in the unemployment insurance program to identify those
23 policies and practices that do all of the following:

24 (1) Result in delayed eligibility determinations or benefit
25 payments.

26 (2) Increase workload for the department.

27 (3) Provide little or no value in identifying or preventing fraud
28 or abuse in the unemployment insurance program.

29 (b) The director shall report to the Legislature the results of the
30 first review on or before July 1, 2015, and may submit subsequent
31 reports thereafter. The report shall be submitted in compliance
32 with Section 9795 of the Government Code.

33 SEC. 3. Section 1253.92 is added to the Unemployment
34 Insurance Code, to read:

35 1253.92. (a) An unemployed individual who is meeting all of
36 the requirements under this division, including Section 1253.9,
37 and is certifying for continued unemployment compensation
38 benefits shall not be scheduled for a determination of eligibility

1 for a week in which the individual commenced or is participating
2 in a training or education program and has notified the department
3 of the training or education program.

4 (b) If the department determines that the commencement of, or
5 the ongoing participation in, a training or education program
6 conflicts with the eligibility requirements for unemployment
7 compensation under this division, the department may schedule
8 and conduct a determination of eligibility.

9 SEC. 4. Section 1326.5 is added to the Unemployment
10 Insurance Code, to read:

11 1326.5. ~~A claimant~~ *An individual shall, to maintain his or her*
12 *eligibility to file continued claims during a continuous period of*
13 *unemployment, submit a continued claim within not more than 14*
14 *days of from the end of the last week for which benefits were paid.*
15 ~~The director shall not reevaluate a continued claim for eligibility~~
16 ~~solely due to a claim being submitted 15 to 21 days, inclusive,~~
17 ~~from the end of the last week for which benefits were paid ending~~
18 ~~date showing on the continued claim, or not more than 14 days~~
19 ~~from the date the department issued that continued claim,~~
20 ~~whichever is later, unless the department finds good cause for the~~
21 ~~individual's delay in submitting the continued claim. An~~
22 ~~unemployed individual may not be disqualified for unemployment~~
23 ~~compensation benefits solely on the basis that the continued claim~~
24 ~~was submitted 15 to 21 days, inclusive, from the end of the last~~
25 ~~week ending date showing on the continued claim, or 15 to 21 days~~
26 ~~inclusive, from the date the department issued that continued claim,~~
27 ~~whichever is later.~~