

AMENDED IN SENATE MAY 7, 2014

SENATE BILL

No. 1314

Introduced by Senator Monning

February 21, 2014

An act to amend Sections 1030, 1032.5, 1328 and, 1330, 1332, 1334, 1377, 3654.4, 3655, 3656, 3701, 4655, 4656, and 4701 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 1314, as amended, Monning. Unemployment insurance benefits: determination: appeals.

(1) Existing law requires the Employment Development Department to pay unemployment compensation benefits to eligible claimants. Existing law requires the department to promptly notify, among others, ~~the~~ *make a prompt notification of various rulings, determinations, and computations, including a notification to an employer of a department ruling or determination as to the cause of a claimant's termination of employment, and a notification to a claimant of the determination of the claimant's eligibility for benefits, as specified. Existing law authorizes reconsideration of a determination of eligibility within 20 days after mailing a notice of a determination.* Existing law also authorizes an appeal from a ~~determination or reconsidered determination to an administrative law judge ruling, determination, or computation~~ within 20 days of the ~~notice of the determination or reconsidered determination~~, a notice, as specified, and authorizes an extension of this deadline for good cause.

This bill would extend the deadline for *a reconsideration or for an appeal to an administrative law judge of the above-described rulings, determinations, and computations* to 30 days.

(2) Existing law requires an administrative law judge to affirm, reverse, modify, or set aside an appeal of a determination of eligibility for benefits and requires the administrative law judge to notify certain parties of the decision, as specified. This decision becomes final unless a further appeal is initiated to the California Unemployment Insurance Appeals Board within 20 days, as specified.

This bill would extend the deadline for appeal to the board to 30 days.

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

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

1 SECTION 1. Section 1030 of the Unemployment Insurance
2 Code is amended to read:

3 1030. (a) An employer that is entitled under Section 1327 to
4 receive notice of the filing of a new or additional claim may, within
5 10 days after mailing of the notice, submit to the department any
6 facts within its possession disclosing whether the claimant left the
7 employer’s employ voluntarily and without good cause or left
8 under one of the following circumstances:

9 (1) The claimant was discharged from the employment for
10 misconduct connected with his or her work.

11 (2) The claimant’s discharge or quitting from his or her most
12 recent employer was the result of an irresistible compulsion to use
13 or consume intoxicants including alcoholic beverages.

14 (3) The claimant was a student employed on a temporary basis
15 and whose employment began within, and ended with his or her
16 leaving to return to school at the close of, his or her vacation
17 period.

18 (4) The claimant left the employer’s employ to accompany his
19 or her spouse or domestic partner to a place or to join him or her
20 at a place from which it is impractical to commute to the
21 employment, and to which a transfer of the claimant by the
22 employer is not available.

23 (5) The claimant left the employer’s employ to protect his or
24 her family or himself or herself from domestic violence abuse.

25 (6) The claimant left the employer’s employ to take a
26 substantially better job.

27 The period during which the employer may submit these facts
28 may be extended by the director for good cause.

1 (b) A base period employer that is not entitled under Section
2 1327 to receive notice of the filing of a new or additional claim
3 and is entitled under Section 1329 to receive notice of computation
4 may, within 15 days after mailing of the notice of computation,
5 submit to the department any facts within its possession disclosing
6 whether the claimant left the employer's employ voluntarily and
7 without good cause or left under one of the following
8 circumstances:

9 (1) The claimant was discharged from the employment for
10 misconduct connected with his or her work.

11 (2) The claimant was a student employed on a temporary basis
12 and whose employment began within, and ended with his or her
13 leaving to return to school at the close of, his or her vacation
14 period.

15 (3) The claimant left the employer's employ to accompany his
16 or her spouse or domestic partner to a place or join him or her at
17 a place from which it is impractical to commute to the employment,
18 and to which a transfer of the claimant by the employer is not
19 available.

20 (4) The claimant left the employer's employ to protect his or
21 her family or himself or herself from domestic violence abuse.

22 (5) The claimant left the employer's employ to take a
23 substantially better job.

24 The period during which the employer may submit these facts
25 may be extended by the director for good cause.

26 (c) The department shall consider these facts together with any
27 information in its possession. If the employer is entitled to a ruling
28 under subdivision (b) or to a determination under Section 1328,
29 the department shall promptly notify the employer of its ruling as
30 to the cause of the termination of the claimant's employment. The
31 employer may appeal from a ruling or reconsidered ruling to an
32 administrative law judge within ~~20~~ 30 days after mailing or
33 personal service of notice of the ruling or reconsidered ruling. The
34 ~~20-day~~ 30-day period may be extended for good cause, which
35 includes, but is not limited to, mistake, inadvertence, surprise, or
36 excusable neglect. The director is an interested party to an appeal.
37 The department may for good cause reconsider a ruling or
38 reconsidered ruling within either five days after the date an appeal
39 to an administrative law judge is filed or, if an appeal is not filed,
40 within ~~20~~ 30 days after mailing or personal service of notice of

1 the ruling or reconsidered ruling. However, a ruling or reconsidered
2 ruling that relates to a determination that is reconsidered pursuant
3 to subdivision (a) of Section 1332 may also be reconsidered by
4 the department within the time provided for reconsideration of that
5 determination.

6 (d) For purposes of this section only, if the claimant voluntarily
7 leaves the employer’s employ without notification to the employer
8 of the reasons for the leaving, and if the employer submits all of
9 the facts within its possession concerning the leaving within the
10 applicable time period referred to in this section, the leaving is
11 presumed to be without good cause.

12 (e) An individual whose employment is terminated under the
13 compulsory retirement provisions of a collective bargaining
14 agreement to which the employer is a party shall not be deemed
15 to have voluntarily left his or her employment without good cause.

16 (f) For purposes of this section “spouse” includes a person to
17 whom marriage is imminent, and “domestic partner” includes a
18 person to whom a domestic partnership, as described in Section
19 297 of the Family Code, is imminent.

20 *SEC. 2. Section 1032.5 of the Unemployment Insurance Code*
21 *is amended to read:*

22 1032.5. (a) Any base period employer may, within 15 days
23 after mailing of a notice of computation under subdivision (a) of
24 Section 1329, submit to the department facts within its possession
25 disclosing that the individual claiming benefits is rendering services
26 for that employer in less than full-time work, and that the individual
27 has continuously, commencing in or prior to the beginning of the
28 base period, rendered services for that employer in such less than
29 full-time work.

30 (b) The department shall consider facts submitted under
31 subdivision (a) of this section together with any information in its
32 possession and promptly notify the employer of its ruling. If the
33 department finds that an individual is, under Section 1252,
34 unemployed in any week on the basis of his or her having less than
35 full-time work, and that the employer submitting facts under this
36 section is a base period employer for whom the individual has
37 continuously, commencing in or prior to the beginning of the base
38 period, rendered services in such less than full-time work, that
39 employer’s account shall not be charged, except as provided by
40 Section 1026 or if the department determines pursuant to Section

1 1026.1 that the employer's reserve account should not be credited,
2 for benefits paid the individual in any week in which such wages
3 are payable by that employer to the individual. The employer may
4 appeal from a ruling or reconsidered ruling to an administrative
5 law judge within ~~20~~ 30 days after mailing or personal service of
6 notice of the ruling or reconsidered ruling. The ~~20-day~~ 30-day
7 period may be extended for good cause, which shall include, but
8 not be limited to, mistake, inadvertence, surprise, or excusable
9 neglect. The director shall be an interested party to any appeal.
10 The department may for good cause reconsider any ruling or
11 reconsidered ruling within either five days after an appeal to an
12 administrative law judge is filed or, if no appeal is filed, within ~~20~~
13 30 days after mailing or personal service of the notice of the ruling
14 or reconsidered ruling.

15 **SECTION 4.**

16 *SEC. 3.* Section 1328 of the Unemployment Insurance Code
17 is amended to read:

18 1328. The department shall consider the facts submitted by an
19 employer pursuant to Section 1327 and make a determination as
20 to the claimant's eligibility for benefits. The department shall
21 promptly notify the claimant and any employer who before the
22 determination has submitted facts or given notice pursuant to
23 Section 1327 or this section and authorized regulations of the
24 determination or reconsidered determination and the reasons
25 therefor. If, after notice of a determination or reconsidered
26 determination, the employing unit acquires knowledge of facts
27 that may affect the eligibility of the claimant and those facts could
28 not reasonably have been known within the 10-day period provided
29 by Section 1327, the employing unit shall within 10 days of
30 acquiring that knowledge submit those facts to the department,
31 and the 10-day period may be extended for good cause. The
32 claimant and the employer may appeal from a determination or
33 reconsidered determination to an administrative law judge within
34 30 days from mailing or personal service of notice of the
35 determination or reconsidered determination. The 30-day period
36 may be extended for good cause, which shall include, but not be
37 limited to, mistake, inadvertence, surprise, or excusable neglect.
38 The director shall be an interested party to any appeal.

39 *SEC. 4.* Section 1330 of the Unemployment Insurance Code is
40 amended to read:

1 1330. The claimant and any base period employer to whom a
2 notice of computation or recomputation is given may, within ~~20~~
3 ~~30~~ days after the mailing or personal service of ~~such~~ the notice,
4 protest the accuracy of the computation or recomputation. The
5 ~~20-day~~ 30-day period may be extended for good cause. The
6 department shall consider ~~any such~~ this protest and shall promptly
7 notify the claimant and the base period employer submitting the
8 protest of the recomputation or denial of recomputation. An appeal
9 may be taken from a notice of denial of recomputation in the
10 manner prescribed in Section 1328. The director shall be an
11 interested party to any appeal.

12 “Good cause,” as used in this section, shall include, but not be
13 limited to, mistake, inadvertence, surprise, or excusable neglect.

14 *SEC. 5. Section 1332 of the Unemployment Insurance Code is*
15 *amended to read:*

16 1332. (a) The department shall promptly serve notice of any
17 determination of eligibility for benefits under this part or Part 3 or
18 Part 4 of this division on the claimant and on any employer or
19 employing unit which prior to this determination has furnished the
20 department with information regarding the claimant’s eligibility
21 pursuant to Sections 1327 and 1331. Service shall be made
22 personally or by mail. Failure to serve this notice shall not affect
23 the determination of eligibility.

24 (1) “Notice” is that notification which apprises the party of a
25 determination of eligibility and allows that party to respond
26 accordingly.

27 (2) If the department is or should be aware that the notice was
28 not received by the party to whom it was addressed, including, but
29 not limited to, the return to the department of the notice by the
30 United States Post Office, the department shall reissue the notice
31 at such time as the department can determine a corrected mailing
32 address for the affected party or otherwise ensure receipt. The
33 affected party shall have appeal rights pursuant to subdivisions (b)
34 and (c), and pursuant to Section 1328.

35 (b) The department may for good cause reconsider any
36 determination within 15 days after an appeal to an administrative
37 law judge is filed. If no appeal is filed, the department may for
38 good cause reconsider any determination within ~~20~~ 30 days after
39 mailing or personal service of the notice of determination. The
40 department may, if a claimant has not filed an appeal to an

1 administrative law judge from any determination ~~which~~ *that* finds
2 that a claimant is ineligible or disqualified, or if an appeal has been
3 filed but is either withdrawn or dismissed, for good cause also
4 reconsider the determination during the benefit year or extended
5 duration period or extended benefit period to which the
6 determination relates. The department shall give notice of any
7 reconsidered determination to the claimant and any employer or
8 employing unit ~~which~~ *that* received notice under Sections 1328
9 and 1331 and the claimant or employer may appeal therefrom in
10 the manner prescribed in Section 1328.

11 The director shall designate individuals to review and reconsider
12 appealed determinations. No individual designated shall be the
13 same individual who made the initial determination in the same
14 matter.

15 (c) The department may for good cause reconsider any
16 computation or recomputation provided for in this article during
17 the benefit year or extended duration period to which the notice
18 of computation or recomputation relates, except that no
19 recomputation may be considered with respect to any issue
20 considered or under consideration in an appeal taken from a denial
21 of recomputation. The department shall promptly notify the
22 claimant and each of the claimant's base period employers of the
23 recomputation. The claimant and any base period employer may
24 protest the accuracy of the recomputation as prescribed in Section
25 1330.

26 ~~SEC. 2.~~

27 *SEC. 6.* Section 1334 of the Unemployment Insurance Code
28 is amended to read:

29 1334. (a) An administrative law judge after affording a
30 reasonable opportunity for fair hearing, shall, unless ~~such~~ *the*
31 appeal is withdrawn, affirm, reverse, modify, or set aside any
32 determination ~~which~~ *that* is appealed under this article. The
33 claimant, the employer becoming a party to the appeal by
34 submitting a protest or information pursuant to Sections 1326 to
35 1333, inclusive, of this article, and the director shall be promptly
36 notified in writing of the administrative law judge's decision,
37 together with reasons for it. The decision shall be final unless,
38 within 30 days after mailing of the decision, further appeal is
39 initiated to the appeals board pursuant to Section 1336. The 30-day
40 limitation may be extended for good cause.

1 (b) “Good cause,” as used in this section, shall include, but not
2 be limited to, mistake, inadvertence, surprise, or excusable neglect.

3 *SEC. 7. Section 1377 of the Unemployment Insurance Code is*
4 *amended to read:*

5 1377. Within ~~20~~ 30 days from the date of mailing or serving
6 of the notice of overpayment, the person affected may file an appeal
7 to an administrative law judge. The director shall be an interested
8 party to any such appeal. The administrative law judge, after
9 affording reasonable opportunity for a fair hearing, shall unless
10 the appeal is withdrawn, affirm, reverse, modify, or set aside the
11 findings set forth in the notice of overpayment. The party and the
12 director shall be notified of the administrative law judge’s decision,
13 together with his reasons therefor, which shall be final unless
14 within ~~20~~ 30 days from the date of notification or mailing of the
15 decision a further appeal is initiated to the appeals board pursuant
16 to Section 1336. The ~~20-day~~ 30-day period for an appeal to the
17 administrative law judge or to the appeals board may be extended
18 for good cause.

19 “Good cause,” as used in this section, shall include, but not be
20 limited to, mistake, inadvertence, surprise, or excusable neglect.

21 *SEC. 8. Section 3654.4 of the Unemployment Insurance Code*
22 *is amended to read:*

23 3654.4. The department shall consider the facts submitted by
24 an employing unit pursuant to Section 3654.1 and make a
25 determination as to the exhaustee’s eligibility for extended duration
26 benefits under subdivision (e) of Section 3552. The department
27 shall promptly notify the exhaustee and any employing unit who
28 prior to the determination has submitted any facts pursuant to
29 Section 3654.1 of the determination and the reasons therefor. The
30 exhaustee and ~~any such~~ the employing unit may appeal therefrom
31 to an administrative law judge within ~~20~~ 30 days from mailing or
32 personal service of notice of the determination. The ~~20-day~~ 30-day
33 period may be extended for good cause. The director shall be an
34 interested party to any appeal.

35 “Good cause,” as used in this section, shall include, but not be
36 limited to, mistake, inadvertence, surprise, or excusable neglect.

37 *SEC. 9. Section 3655 of the Unemployment Insurance Code is*
38 *amended to read:*

39 3655. The Employment Development Department shall
40 consider the facts submitted by an employer pursuant to Section

1 3654 and, if benefits are claimed subsequent to the filing of the
2 extended duration benefits claim, make a determination as to the
3 exhaustee’s eligibility for the extended duration benefits. The
4 Employment Development Department shall promptly notify the
5 exhaustee and any employer who prior to the determination has
6 submitted any facts pursuant to Section 3654 of the determination
7 and the reasons therefor. The exhaustee and ~~any such~~ *this* employer
8 may appeal therefrom to an administrative law judge within ~~20~~ 30
9 days from mailing or personal service of notice of the
10 determination. The ~~20-day~~ 30-day period may be extended for
11 good cause. The Director of Employment Development shall be
12 an interested party to any appeal.

13 “Good cause,” as used in this section, shall include, but not be
14 limited to, mistake, inadvertence, surprise, or excusable neglect.

15 *SEC. 10. Section 3656 of the Unemployment Insurance Code*
16 *is amended to read:*

17 3656. Upon the filing of a valid primary claim by an exhaustee,
18 the department shall promptly make an extended duration award
19 computation ~~which~~ *that* shall set forth the maximum amount of
20 extended duration benefits potentially payable during the extended
21 duration period, the weekly benefit amount, and the expiration
22 date of the extended duration period. The department shall
23 promptly notify the exhaustee of the computation. ~~He~~ *The*
24 *exhaustee* may, within ~~20~~ 30 days after the mailing or personal
25 service of the notice of computation, protest its accuracy. The
26 ~~20-day~~ 30-day period may be extended for good cause. The
27 department shall consider ~~any such~~ *the* protest and shall promptly
28 notify the exhaustee of the recomputation or denial of
29 recomputation. An appeal may be taken from a notice of denial of
30 recomputation in the manner prescribed in Section 3655. The
31 director shall be an interested party to any appeal.

32 “Good cause,” as used in this section, shall include, but not be
33 limited to, mistake, inadvertence, surprise, or excusable neglect.

34 *SEC. 11. Section 3701 of the Unemployment Insurance Code*
35 *is amended to read:*

36 3701. (a) (1) An employer that is entitled under Section 3654
37 to notice of the filing of a primary claim or additional claim and
38 that, within 10 days after mailing of the notice, submits to the
39 department any facts within its possession disclosing whether the
40 exhaustee left the most recent employment with the employer

1 voluntarily and without good cause or was discharged from the
2 employment for misconduct connected with his or her work, or
3 whether the claimant was a student employed on a temporary basis
4 and whose employment began within, and ended with his or her
5 leaving to return to school at the close of, his or her vacation
6 period, or whether the claimant left the employer's employ to
7 accompany his or her spouse or domestic partner to a place or join
8 him or her at a place from which it is impractical to commute to
9 the employment, and to which a transfer of the claimant by the
10 employer is not available, or whether the claimant's discharge or
11 quit from his or her most recent employer was the result of an
12 irresistible compulsion to use or consume intoxicants, including
13 alcoholic beverages, or whether the claimant left the employer's
14 employ to protect his or her family or himself or herself from
15 domestic violence abuse, or whether the claimant left the
16 employer's employ to take a substantially better job, shall be
17 entitled to a ruling as prescribed by this section. The period during
18 which the employer may submit these facts may be extended by
19 the director for good cause.

20 (2) For purposes of this section, "spouse" includes a person to
21 whom marriage is imminent, and "domestic partner" includes a
22 person to whom a domestic partnership, as described in Section
23 297 of the Family Code, is imminent.

24 (b) The department shall consider these facts together with any
25 information in its possession. If the employer is entitled to a
26 determination pursuant to Section 3655, the department shall
27 promptly notify the employer of its ruling as to the cause of the
28 termination of the exhaustee's most recent employment. The
29 employer may appeal from a ruling or reconsidered ruling to an
30 administrative law judge within ~~20~~ 30 days after mailing or
31 personal service of notice of the ruling or reconsidered ruling. The
32 ~~20-day~~ 30-day period may be extended for good cause, which shall
33 include, but not be limited to, mistake, inadvertence, surprise, or
34 excusable neglect. The director shall be an interested party to an
35 appeal. The department may for good cause reconsider a ruling or
36 reconsidered ruling within either five days after the date an appeal
37 to an administrative law judge is filed or, if an appeal is not filed,
38 within ~~20~~ 30 days after mailing or personal service of notice of
39 the ruling or reconsidered ruling, except that a ruling or
40 reconsidered ruling ~~which~~ *that* related to a determination that is

1 reconsidered pursuant to subdivision (a) of Section 1332 may also
2 be reconsidered by the department within the time provided for
3 reconsideration of that determination.

4 (c) For purposes of this section only, if the claimant voluntarily
5 leaves the employer's employ without notification to the employer
6 of the reasons therefor, and if the employer submits all of the facts
7 within its possession concerning the leaving within the applicable
8 time period referred to in this section, the leaving shall be presumed
9 to be without good cause.

10 (d) An individual whose employment is terminated under the
11 compulsory retirement provisions of a collective bargaining
12 agreement to which the employer is a party shall not be deemed
13 to have voluntarily left his or her employment without good cause.

14 (e) Rulings under this section shall have the effect prescribed
15 by Section 1032.

16 *SEC. 12. Section 4655 of the Unemployment Insurance Code*
17 *is amended to read:*

18 4655. The Employment Development Department shall
19 consider the facts submitted by an employer pursuant to Section
20 4654 and, if benefits are claimed subsequent to the filing of the
21 federal-state extended benefits claim, make a determination as to
22 the individual's eligibility for the federal-state extended benefits.
23 The Employment Development Department shall promptly notify
24 the individual and any employer who prior to the determination
25 has submitted any facts pursuant to Section 4654 of the
26 determination and the reasons therefor. The individual and ~~any~~
27 ~~such~~ *this* employer may appeal therefrom to an administrative law
28 judge within ~~20~~ 30 days from mailing or personal service of notice
29 of the determination. The ~~20-day~~ 30-day period may be extended
30 for good cause. The Director of Employment Development shall
31 be an interested party to any appeal.

32 "Good cause," as used in this section, shall include, but not be
33 limited to, mistake, inadvertence, surprise, or excusable neglect.

34 *SEC. 13. Section 4656 of the Unemployment Insurance Code*
35 *is amended to read:*

36 4656. Upon the filing of a valid application by an individual,
37 the department shall promptly make a federal-state extended benefit
38 award computation ~~which~~ *that* shall set forth the maximum amount
39 of federal-state extended benefits potentially payable during the
40 extended benefit period, and the weekly benefit amount. The

1 department shall promptly notify the individual of the computation.
 2 He *The individual* may, within ~~20~~ 30 days after the mailing or
 3 personal service of the notice of computation or recomputation,
 4 protest its accuracy. The ~~20-day~~ 30-day period may be extended
 5 for good cause. The department shall consider ~~any such~~ *this* protest
 6 and shall promptly notify the individual of the recomputation or
 7 denial of recomputation. An appeal may be taken from a notice of
 8 denial of recomputation in the manner provided in Section 4655.
 9 The director shall be an interested party to any appeal.

10 “Good cause,” as used in this section, shall include, but not be
 11 limited to, mistake, inadvertence, surprise, or excusable neglect.

12 *SEC. 14. Section 4701 of the Unemployment Insurance Code*
 13 *is amended to read:*

14 4701. (a) (1) An employer that is entitled under Section 4654
 15 to notice of the filing of an application or additional claim and
 16 who, within 10 days after mailing of the notice, submits to the
 17 department any facts within its possession disclosing whether the
 18 individual left the most recent employment with the employer
 19 voluntarily and without good cause or was discharged from the
 20 employment for misconduct connected with his or her work, or
 21 whether the claimant was a student employed on a temporary basis
 22 and whose employment began within, and ended with his or her
 23 leaving to return to school at the close of, his or her vacation
 24 period, or whether the claimant left the employer’s employ to
 25 accompany his or her spouse or domestic partner to a place or to
 26 join him or her at a place from which it is impractical to commute
 27 to the employment, and to which a transfer of the claimant by the
 28 employer is not available, or whether the claimant’s discharge or
 29 quit from his or her most recent employer was the result of an
 30 irresistible compulsion to use or consume intoxicants, including
 31 alcoholic beverages, or whether the claimant left the employer’s
 32 employ to protect his or her family or himself or herself from
 33 domestic violence abuse, or whether the claimant left the
 34 employer’s employ to take a substantially better job, shall be
 35 entitled to a ruling as prescribed by this section. The period during
 36 which the employer may submit these facts may be extended by
 37 the director for good cause.

38 (2) For purposes of this section, “spouse” includes a person to
 39 whom marriage is imminent, and “domestic partner” includes a

1 person to whom a domestic partnership, as described in Section
2 297 of the Family Code, is imminent.

3 (b) The department shall consider the facts together with any
4 information in its possession. If the employer is entitled to a
5 determination pursuant to Section 4655, the department shall
6 promptly issue to the employer its ruling as to the cause of the
7 termination of the individual's most recent employment. The
8 employer may appeal from a ruling or reconsidered ruling to an
9 administrative law judge within ~~20~~ 30 days after mailing or
10 personal service of notice of the ruling or reconsidered ruling. The
11 ~~20-day~~ 30-day period may be extended for good cause, which shall
12 include, but not be limited to, mistake, inadvertence, surprise, or
13 excusable neglect. The director shall be an interested party to an
14 appeal. The department may for good cause reconsider a ruling or
15 reconsidered ruling within either five days after the date an appeal
16 to an administrative law judge is filed or, if no appeal is filed,
17 within ~~20~~ 30 days after mailing or personal service of notice of
18 the ruling or reconsidered ruling, except that a ruling or
19 reconsidered ruling that relates to a determination that is
20 reconsidered pursuant to subdivision (a) of Section 1332 may also
21 be reconsidered by the department within the time provided for
22 reconsideration of that determination.

23 (c) For purposes of this section only, if the claimant voluntarily
24 leaves the employer's employ without notification to the employer
25 of the reasons therefor, and if the employer submits all of the facts
26 within its possession concerning the leaving within the applicable
27 time period referred to in this section, the leaving shall be presumed
28 to be without good cause.

29 (d) An individual whose employment is terminated under the
30 compulsory retirement provisions of a collective bargaining
31 agreement to which the employer is a party shall not be deemed
32 to have voluntarily left his or her employment without good cause.

33 (e) Rulings under this section shall have the effect prescribed
34 by Section 1032.

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