

AMENDED IN ASSEMBLY JUNE 4, 2014

AMENDED IN SENATE MAY 7, 2014

**SENATE BILL**

**No. 1314**

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**Introduced by Senator Monning**

February 21, 2014

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An act to amend, *repeal, and add* Sections 1030, 1032.5, 1328, 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 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 ruling, determination, or computation within 20 days of 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 of the above-described rulings, determinations, and computations to 30 days *after mailing a notice of determination, for those mailings that occur on or after July 1, 2015.*

(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, *on and after July 1, 2015*, 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.

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

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

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

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

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

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

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

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

28 (c) The department shall consider these facts together with any  
29 information in its possession. If the employer is entitled to a ruling  
30 under subdivision (b) or to a determination under Section 1328,  
31 the department shall promptly notify the employer of its ruling as  
32 to the cause of the termination of the claimant's employment. The  
33 employer may appeal from a ruling or reconsidered ruling to an  
34 administrative law judge within ~~30~~ 20 days after mailing or  
35 personal service of notice of the ruling or reconsidered ruling, *for*  
36 *mailing or personal service that occurs before July 1, 2015*. The  
37 ~~30-day~~ 20-day period may be extended for good cause, which  
38 includes, but is not limited to, mistake, inadvertence, surprise, or  
39 excusable neglect. The director is an interested party to an appeal.  
40 The department may for good cause reconsider a ruling or

1 reconsidered ruling within either five days after the date an appeal  
2 to an administrative law judge is filed or, if an appeal is not filed,  
3 within 30 days after mailing or personal service of notice of the  
4 ruling or reconsidered ruling. However, a ruling or reconsidered  
5 ruling that relates to a determination that is reconsidered pursuant  
6 to subdivision (a) of Section 1332 may also be reconsidered by  
7 the department within the time provided for reconsideration of that  
8 determination.

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

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

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

23 (g) *This section shall become inoperative on July 1, 2015, and,*  
24 *as of January 1, 2016, is repealed.*

25 *SEC. 2. Section 1030 is added to the Unemployment Insurance*  
26 *Code, to read:*

27 *1030. (a) An employer that is entitled under Section 1327 to*  
28 *receive notice of the filing of a new or additional claim may, within*  
29 *10 days after mailing of the notice, submit to the department any*  
30 *facts within its possession disclosing whether the claimant left the*  
31 *employer's employ voluntarily and without good cause or left*  
32 *under one of the following circumstances:*

33 *(1) The claimant was discharged from the employment for*  
34 *misconduct connected with his or her work.*

35 *(2) The claimant's discharge or quitting from his or her most*  
36 *recent employer was the result of an irresistible compulsion to use*  
37 *or consume intoxicants including alcoholic beverages.*

38 *(3) The claimant was a student employed on a temporary basis*  
39 *and whose employment began within, and ended with his or her*

1 *leaving to return to school at the close of, his or her vacation*  
2 *period.*

3 *(4) The claimant left the employer's employ to accompany his*  
4 *or her spouse or domestic partner to a place or to join him or her*  
5 *at a place from which it is impractical to commute to the*  
6 *employment, and to which a transfer of the claimant by the*  
7 *employer is not available.*

8 *(5) The claimant left the employer's employ to protect his or*  
9 *her family or himself or herself from domestic violence abuse.*

10 *(6) The claimant left the employer's employ to take a*  
11 *substantially better job.*

12 *The period during which the employer may submit these facts*  
13 *may be extended by the director for good cause.*

14 *(b) A base period employer that is not entitled under Section*  
15 *1327 to receive notice of the filing of a new or additional claim*  
16 *and is entitled under Section 1329 to receive notice of computation*  
17 *may, within 15 days after mailing of the notice of computation,*  
18 *submit to the department any facts within its possession disclosing*  
19 *whether the claimant left the employer's employ voluntarily and*  
20 *without good cause or left under one of the following*  
21 *circumstances:*

22 *(1) The claimant was discharged from the employment for*  
23 *misconduct connected with his or her work.*

24 *(2) The claimant was a student employed on a temporary basis*  
25 *and whose employment began within, and ended with his or her*  
26 *leaving to return to school at the close of, his or her vacation*  
27 *period.*

28 *(3) The claimant left the employer's employ to accompany his*  
29 *or her spouse or domestic partner to a place or join him or her at*  
30 *a place from which it is impractical to commute to the employment,*  
31 *and to which a transfer of the claimant by the employer is not*  
32 *available.*

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

35 *(5) The claimant left the employer's employ to take a*  
36 *substantially better job.*

37 *The period during which the employer may submit these facts*  
38 *may be extended by the director for good cause.*

39 *(c) The department shall consider these facts together with any*  
40 *information in its possession. If the employer is entitled to a ruling*

1 under subdivision (b) or to a determination under Section 1328,  
2 the department shall promptly notify the employer of its ruling as  
3 to the cause of the termination of the claimant's employment. The  
4 employer may appeal from a ruling or reconsidered ruling to an  
5 administrative law judge within 30 days after mailing or personal  
6 service of notice of the ruling or reconsidered ruling, for mailing  
7 or personal service that occurs on or after July 1, 2015. The 30-day  
8 period may be extended for good cause, which includes, but is not  
9 limited to, mistake, inadvertence, surprise, or excusable neglect.  
10 The director is an interested party to an appeal. The department  
11 may for good cause reconsider a ruling or reconsidered ruling  
12 within either five days after the date an appeal to an administrative  
13 law judge is filed or, if an appeal is not filed, within 30 days after  
14 mailing or personal service of notice of the ruling or reconsidered  
15 ruling. However, a ruling or reconsidered ruling that relates to a  
16 determination that is reconsidered pursuant to subdivision (a) of  
17 Section 1332 may also be reconsidered by the department within  
18 the time provided for reconsideration of that determination.

19 (d) For purposes of this section only, if the claimant voluntarily  
20 leaves the employer's employ without notification to the employer  
21 of the reasons for the leaving, and if the employer submits all of  
22 the facts within its possession concerning the leaving within the  
23 applicable time period referred to in this section, the leaving is  
24 presumed to be without good cause.

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

29 (f) For purposes of this section "spouse" includes a person to  
30 whom marriage is imminent, and "domestic partner" includes a  
31 person to whom a domestic partnership, as described in Section  
32 297 of the Family Code, is imminent.

33 (g) This section shall become operative on July 1, 2015.

34 ~~SEC. 2.~~

35 SEC. 3. Section 1032.5 of the Unemployment Insurance Code  
36 is amended to read:

37 1032.5. (a) Any base period employer may, within 15 days  
38 after mailing of a notice of computation under subdivision (a) of  
39 Section 1329, submit to the department facts within its possession  
40 disclosing that the individual claiming benefits is rendering services

1 for that employer in less than full-time work, and that the individual  
2 has continuously, commencing in or prior to the beginning of the  
3 base period, rendered services for that employer in such less than  
4 full-time work.

5 (b) The department shall consider facts submitted under  
6 subdivision (a) of this section together with any information in its  
7 possession and promptly notify the employer of its ruling. If the  
8 department finds that an individual is, under Section 1252,  
9 unemployed in any week on the basis of his or her having less than  
10 full-time work, and that the employer submitting facts under this  
11 section is a base period employer for whom the individual has  
12 continuously, commencing in or prior to the beginning of the base  
13 period, rendered services in such less than full-time work, that  
14 employer's account shall not be charged, except as provided by  
15 Section 1026 or if the department determines pursuant to Section  
16 1026.1 that the employer's reserve account should not be credited,  
17 for benefits paid the individual in any week in which such wages  
18 are payable by that employer to the individual. The employer may  
19 appeal from a ruling or reconsidered ruling to an administrative  
20 law judge within ~~30~~ 20 days after mailing or personal service of  
21 notice of the ruling or reconsidered ruling, *for mailing or personal*  
22 *service that occurs before July 1, 2015.* ~~The 30-day~~ 20-day period  
23 may be extended for good cause, which shall include, but not be  
24 limited to, mistake, inadvertence, surprise, or excusable neglect.  
25 The director shall be an interested party to any appeal. The  
26 department may for good cause reconsider any ruling or  
27 reconsidered ruling within either five days after an appeal to an  
28 administrative law judge is filed or, if no appeal is filed, within 30  
29 days after mailing or personal service of the notice of the ruling  
30 or reconsidered ruling.

31 (c) *This section shall become inoperative on July 1, 2015, and,*  
32 *as of January 1, 2016, is repealed.*

33 *SEC. 4. Section 1032.5 is added to the Unemployment*  
34 *Insurance Code, to read:*

35 *1032.5. (a) Any base period employer may, within 15 days*  
36 *after mailing of a notice of computation under subdivision (a) of*  
37 *Section 1329, submit to the department facts within its possession*  
38 *disclosing that the individual claiming benefits is rendering*  
39 *services for that employer in less than full-time work, and that the*  
40 *individual has continuously, commencing in or prior to the*

1 *beginning of the base period, rendered services for that employer*  
2 *in such less than full-time work.*

3 *(b) The department shall consider facts submitted under*  
4 *subdivision (a) of this section together with any information in its*  
5 *possession and promptly notify the employer of its ruling. If the*  
6 *department finds that an individual is, under Section 1252,*  
7 *unemployed in any week on the basis of his or her having less than*  
8 *full-time work, and that the employer submitting facts under this*  
9 *section is a base period employer for whom the individual has*  
10 *continuously, commencing in or prior to the beginning of the base*  
11 *period, rendered services in such less than full-time work, that*  
12 *employer's account shall not be charged, except as provided by*  
13 *Section 1026 or if the department determines pursuant to Section*  
14 *1026.1 that the employer's reserve account should not be credited,*  
15 *for benefits paid the individual in any week in which such wages*  
16 *are payable by that employer to the individual. The employer may*  
17 *appeal from a ruling or reconsidered ruling to an administrative*  
18 *law judge within 30 days after mailing or personal service of notice*  
19 *of the ruling or reconsidered ruling, for mailing or personal service*  
20 *that occurs on and after July 1, 2015. The 30-day period may be*  
21 *extended for good cause, which shall include, but not be limited*  
22 *to, mistake, inadvertence, surprise, or excusable neglect. The*  
23 *director shall be an interested party to any appeal. The department*  
24 *may for good cause reconsider any ruling or reconsidered ruling*  
25 *within either five days after an appeal to an administrative law*  
26 *judge is filed or, if no appeal is filed, within 30 days after mailing*  
27 *or personal service of the notice of the ruling or reconsidered*  
28 *ruling, for mailing or personal service occurring on or after July*  
29 *1, 2015.*

30 *(c) This section shall become operative on July 1, 2015.*

31 ~~SEC. 3.~~

32 *SEC. 5.* Section 1328 of the Unemployment Insurance Code  
33 is amended to read:

34 1328. *(a) The department shall consider the facts submitted*  
35 *by an employer pursuant to Section 1327 and make a determination*  
36 *as to the claimant's eligibility for benefits. The department shall*  
37 *promptly notify the claimant and any employer who before the*  
38 *determination has submitted facts or given notice pursuant to*  
39 *Section 1327 or this section and authorized regulations of the*  
40 *determination or reconsidered determination and the reasons*

1 therefor. If, after notice of a determination or reconsidered  
2 determination, the employing unit acquires knowledge of facts  
3 that may affect the eligibility of the claimant and those facts could  
4 not reasonably have been known within the 10-day period provided  
5 by Section 1327, the employing unit shall within 10 days of  
6 acquiring that knowledge submit those facts to the department,  
7 and the 10-day period may be extended for good cause. The  
8 claimant and the employer may appeal from a determination or  
9 reconsidered determination to an administrative law judge within  
10 ~~30~~ 20 days from mailing or personal service of notice of the  
11 determination or reconsidered determination, *for mailing or*  
12 *personal service that occurs before July 1, 2015.* The ~~30-day~~  
13 *20-day* period may be extended for good cause, which shall include,  
14 but not be limited to, mistake, inadvertence, surprise, or excusable  
15 neglect. The director shall be an interested party to any appeal.

16 *(b) This section shall become inoperative on July 1, 2015, and,*  
17 *as of January 1, 2016, is repealed.*

18 *SEC. 6. Section 1328 is added to the Unemployment Insurance*  
19 *Code, to read:*

20 *1328. (a) The department shall consider the facts submitted*  
21 *by an employer pursuant to Section 1327 and make a determination*  
22 *as to the claimant's eligibility for benefits. The department shall*  
23 *promptly notify the claimant and any employer who before the*  
24 *determination has submitted facts or given notice pursuant to*  
25 *Section 1327 or this section and authorized regulations of the*  
26 *determination or reconsidered determination and the reasons*  
27 *therefor. If, after notice of a determination or reconsidered*  
28 *determination, the employing unit acquires knowledge of facts that*  
29 *may affect the eligibility of the claimant and those facts could not*  
30 *reasonably have been known within the 10-day period provided*  
31 *by Section 1327, the employing unit shall within 10 days of*  
32 *acquiring that knowledge submit those facts to the department,*  
33 *and the 10-day period may be extended for good cause. The*  
34 *claimant and the employer may appeal from a determination or*  
35 *reconsidered determination to an administrative law judge within*  
36 *30 days from mailing or personal service of notice of the*  
37 *determination or reconsidered determination, for mailing or*  
38 *personal service that occurs on or after July 1, 2015. The 30-day*  
39 *period may be extended for good cause, which shall include, but*

1 *not be limited to, mistake, inadvertence, surprise, or excusable*  
2 *neglect. The director shall be an interested party to any appeal.*

3 *(b) This section shall become operative on July 1, 2015.*

4 ~~SEC. 4.~~

5 *SEC. 7.* Section 1330 of the Unemployment Insurance Code  
6 is amended to read:

7 1330. *(a) The claimant and any base period employer to whom*  
8 *a notice of computation or recomputation is given may, within ~~30~~*  
9 *20 days after the mailing or personal service of the notice, protest*  
10 *the accuracy of the computation or recomputation, ~~for mailing or~~*  
11 *personal service that occurs before July 1, 2015. The ~~30-day~~*  
12 *20-day period may be extended for good cause. The department*  
13 *shall consider this protest and shall promptly notify the claimant*  
14 *and the base period employer submitting the protest of the*  
15 *recomputation or denial of recomputation. An appeal may be taken*  
16 *from a notice of denial of recomputation in the manner prescribed*  
17 *in Section 1328. The director shall be an interested party to any*  
18 *appeal.*

19 ~~“Good~~

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

22 *(c) This section shall become inoperative on July 1, 2015, and,*  
23 *as of January 1, 2016, is repealed.*

24 *SEC. 8.* Section 1330 is added to the Unemployment Insurance  
25 Code, to read:

26 1330. *(a) The claimant and any base period employer to whom*  
27 *a notice of computation or recomputation is given may, within 30*  
28 *days after the mailing or personal service of the notice, protest*  
29 *the accuracy of the computation or recomputation, for mailing or*  
30 *personal service that occurs on or after July 1, 2015. The 30-day*  
31 *period may be extended for good cause. The department shall*  
32 *consider this protest and shall promptly notify the claimant and*  
33 *the base period employer submitting the protest of the*  
34 *recomputation or denial of recomputation. An appeal may be taken*  
35 *from a notice of denial of recomputation in the manner prescribed*  
36 *in Section 1328. The director shall be an interested party to any*  
37 *appeal.*

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

40 *(c) This section shall become operative on July 1, 2015.*

1     ~~SEC. 5.~~

2     ~~SEC. 9.~~ Section 1332 of the Unemployment Insurance Code  
3 is amended to read:

4     1332. (a) The department shall promptly serve notice of any  
5 determination of eligibility for benefits under this part or Part 3 or  
6 Part 4 of this division on the claimant and on any employer or  
7 employing unit which prior to this determination has furnished the  
8 department with information regarding the claimant's eligibility  
9 pursuant to Sections 1327 and 1331. Service shall be made  
10 personally or by mail. Failure to serve this notice shall not affect  
11 the determination of eligibility.

12     (1) "Notice" is that notification which apprises the party of a  
13 determination of eligibility and allows that party to respond  
14 accordingly.

15     (2) If the department is or should be aware that the notice was  
16 not received by the party to whom it was addressed, including, but  
17 not limited to, the return to the department of the notice by the  
18 United States Post Office, the department shall reissue the notice  
19 at such time as the department can determine a corrected mailing  
20 address for the affected party or otherwise ensure receipt. The  
21 affected party shall have appeal rights pursuant to subdivisions (b)  
22 and (c), and pursuant to Section 1328.

23     (b) The department may for good cause reconsider any  
24 determination within 15 days after an appeal to an administrative  
25 law judge is filed. If no appeal is filed, the department may for  
26 good cause reconsider any determination within ~~30~~ 20 days after  
27 mailing or personal service of the notice of determination, *for*  
28 *mailing or personal service that occurs before July 1, 2015.* The  
29 department may, if a claimant has not filed an appeal to an  
30 administrative law judge from any determination that finds that a  
31 claimant is ineligible or disqualified, or if an appeal has been filed  
32 but is either withdrawn or dismissed, for good cause also reconsider  
33 the determination during the benefit year or extended duration  
34 period or extended benefit period to which the determination  
35 relates. The department shall give notice of any reconsidered  
36 determination to the claimant and any employer or employing unit  
37 that received notice under Sections 1328 and 1331 and the claimant  
38 or employer may appeal therefrom in the manner prescribed in  
39 Section 1328.

1 The director shall designate individuals to review and reconsider  
2 appealed determinations. No individual designated shall be the  
3 same individual who made the initial determination in the same  
4 matter.

5 (c) The department may for good cause reconsider any  
6 computation or recomputation provided for in this article during  
7 the benefit year or extended duration period to which the notice  
8 of computation or recomputation relates, except that no  
9 recomputation may be considered with respect to any issue  
10 considered or under consideration in an appeal taken from a denial  
11 of recomputation. The department shall promptly notify the  
12 claimant and each of the claimant's base period employers of the  
13 recomputation. The claimant and any base period employer may  
14 protest the accuracy of the recomputation as prescribed in Section  
15 1330.

16 (d) *This section shall become inoperative on July 1, 2015, and,*  
17 *as of January 1, 2016, is repealed.*

18 *SEC. 10. Section 1332 is added to the Unemployment Insurance*  
19 *Code, to read:*

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

28 (1) *"Notice" is that notification which apprises the party of a*  
29 *determination of eligibility and allows that party to respond*  
30 *accordingly.*

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

39 (b) *The department may for good cause reconsider any*  
40 *determination within 15 days after an appeal to an administrative*

1 law judge is filed. If no appeal is filed, the department may for  
2 good cause reconsider any determination within 30 days after  
3 mailing or personal service of the notice of determination, for  
4 mailing or personal service that occurs on or after July 1, 2015.  
5 The department may, if a claimant has not filed an appeal to an  
6 administrative law judge from any determination that finds that a  
7 claimant is ineligible or disqualified, or if an appeal has been filed  
8 but is either withdrawn or dismissed, for good cause also  
9 reconsider the determination during the benefit year or extended  
10 duration period or extended benefit period to which the  
11 determination relates. The department shall give notice of any  
12 reconsidered determination to the claimant and any employer or  
13 employing unit that received notice under Sections 1328 and 1331  
14 and the claimant or employer may appeal therefrom in the manner  
15 prescribed in Section 1328.

16 The director shall designate individuals to review and reconsider  
17 appealed determinations. No individual designated shall be the  
18 same individual who made the initial determination in the same  
19 matter.

20 (c) The department may for good cause reconsider any  
21 computation or recomputation provided for in this article during  
22 the benefit year or extended duration period to which the notice  
23 of computation or recomputation relates, except that no  
24 recomputation may be considered with respect to any issue  
25 considered or under consideration in an appeal taken from a denial  
26 of recomputation. The department shall promptly notify the  
27 claimant and each of the claimant's base period employers of the  
28 recomputation. The claimant and any base period employer may  
29 protest the accuracy of the recomputation as prescribed in Section  
30 1330.

31 (d) This section shall become operative on July 1, 2015.

32 ~~SEC. 6.~~

33 *SEC. 11.* Section 1334 of the Unemployment Insurance Code  
34 is amended to read:

35 1334. (a) An administrative law judge after affording a  
36 reasonable opportunity for fair hearing, shall, unless the appeal is  
37 withdrawn, affirm, reverse, modify, or set aside any determination  
38 that is appealed under this article. The claimant, the employer  
39 becoming a party to the appeal by submitting a protest or  
40 information pursuant to Sections 1326 to 1333, inclusive, of this

1 article, and the director shall be promptly notified in writing of the  
2 administrative law judge's decision, together with reasons for it.  
3 The decision shall be final unless, within ~~30~~ 20 days after mailing  
4 of the decision, *for mailing that occurs before July 1, 2015*, further  
5 appeal is initiated to the appeals board pursuant to Section 1336.  
6 ~~The 30-day~~ 20-day limitation may be extended for good cause.

7 (b) "Good cause," as used in this section, shall include, but not  
8 be limited to, mistake, inadvertence, surprise, or excusable neglect.

9 (c) *This section shall become inoperative on July 1, 2015, and,*  
10 *as of January 1, 2016, is repealed.*

11 *SEC. 12. Section 1334 is added to the Unemployment Insurance*  
12 *Code, to read:*

13 1334. (a) *An administrative law judge after affording a*  
14 *reasonable opportunity for fair hearing, shall, unless the appeal*  
15 *is withdrawn, affirm, reverse, modify, or set aside any*  
16 *determination that is appealed under this article. The claimant,*  
17 *the employer becoming a party to the appeal by submitting a*  
18 *protest or information pursuant to Sections 1326 to 1333, inclusive,*  
19 *of this article, and the director shall be promptly notified in writing*  
20 *of the administrative law judge's decision, together with reasons*  
21 *for it. The decision shall be final unless, within 30 days after*  
22 *mailing of the decision, for mailing that occurs on or after July 1,*  
23 *2015, further appeal is initiated to the appeals board pursuant to*  
24 *Section 1336. The 30-day limitation may be extended for good*  
25 *cause.*

26 (b) "Good cause," as used in this section, shall include, but not  
27 be limited to, mistake, inadvertence, surprise, or excusable neglect.

28 (c) *This section shall become operative on July 1, 2015.*

29 ~~SEC. 7.~~

30 *SEC. 13. Section 1377 of the Unemployment Insurance Code*  
31 *is amended to read:*

32 1377. (a) *Within ~~30~~ 20 days from the date of mailing or*  
33 *-serving of the notice of overpayment, for mailing or serving that*  
34 *occurs before July 1, 2015, the person affected may file an appeal*  
35 *to an administrative law judge. The director shall be an interested*  
36 *party to any such appeal. The administrative law judge, after*  
37 *affording reasonable opportunity for a fair hearing, shall unless*  
38 *the appeal is withdrawn, affirm, reverse, modify, or set aside the*  
39 *findings set forth in the notice of overpayment. The party and the*  
40 *director shall be notified of the administrative law judge's decision,*

1 together with his *or her* reasons therefor, which shall be final unless  
2 within ~~30~~ 20 days from the date of notification or mailing of the  
3 decision a further appeal is initiated to the appeals board pursuant  
4 to Section 1336, *for notification or mailing that occurs before July*  
5 *1, 2015. The ~~30-day~~ 20-day period for an appeal to the*  
6 *administrative law judge or to the appeals board may be extended*  
7 *for good cause.*

8 ~~“Good~~

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

11 (c) *This section shall become inoperative on July 1, 2015, and,*  
12 *as of January 1, 2016, is repealed.*

13 *SEC. 14. Section 1377 is added to the Unemployment Insurance*  
14 *Code, to read:*

15 *1377. (a) Within 30 days from the date of mailing or serving*  
16 *of the notice of overpayment, for mailing or serving that occurs*  
17 *on or after July 1, 2015, the person affected may file an appeal to*  
18 *an administrative law judge. The director shall be an interested*  
19 *party to any such appeal. The administrative law judge, after*  
20 *affording reasonable opportunity for a fair hearing, shall unless*  
21 *the appeal is withdrawn, affirm, reverse, modify, or set aside the*  
22 *findings set forth in the notice of overpayment. The party and the*  
23 *director shall be notified of the administrative law judge’s decision,*  
24 *together with his or her reasons therefor, which shall be final*  
25 *unless within 30 days from the date of notification or mailing of*  
26 *the decision a further appeal is initiated to the appeals board*  
27 *pursuant to Section 1336, for notification or mailing that occurs*  
28 *on or after July 1, 2015. The 30-day period for an appeal to the*  
29 *administrative law judge or to the appeals board may be extended*  
30 *for good cause.*

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

33 (c) *This section shall become operative on July 1, 2015.*

34 ~~SEC. 8.~~

35 *SEC. 15. Section 3654.4 of the Unemployment Insurance Code*  
36 *is amended to read:*

37 *3654.4. (a) The department shall consider the facts submitted*  
38 *by an employing unit pursuant to Section 3654.1 and make a*  
39 *determination as to the exhaustee’s eligibility for extended duration*  
40 *benefits under subdivision (e) of Section 3552. The department*

1 shall promptly notify the exhaustee and any employing unit who  
 2 prior to the determination has submitted any facts pursuant to  
 3 Section 3654.1 of the determination and the reasons therefor. The  
 4 exhaustee and the employing unit may appeal therefrom to an  
 5 administrative law judge within ~~30~~ 20 days from mailing or  
 6 personal service of notice of the determination, *for mailing or*  
 7 *personal service that occurs before July 1, 2015.* The ~~30-day~~  
 8 *20-day* period may be extended for good cause. The director shall  
 9 be an interested party to any appeal.

10 ~~“Good~~

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

13 (c) *This section shall become inoperative on July 1, 2015, and,*  
 14 *as of January 1, 2016, is repealed.*

15 *SEC. 16. Section 3654.4 is added to the Unemployment*  
 16 *Insurance Code, to read:*

17 *3654.4. (a) The department shall consider the facts submitted*  
 18 *by an employing unit pursuant to Section 3654.1 and make a*  
 19 *determination as to the exhaustee’s eligibility for extended duration*  
 20 *benefits under subdivision (e) of Section 3552. The department*  
 21 *shall promptly notify the exhaustee and any employing unit who*  
 22 *prior to the determination has submitted any facts pursuant to*  
 23 *Section 3654.1 of the determination and the reasons therefor. The*  
 24 *exhaustee and the employing unit may appeal therefrom to an*  
 25 *administrative law judge within 30 days from mailing or personal*  
 26 *service of notice of the determination, for mailing or personal*  
 27 *service that occurs on or after July 1, 2015. The 30-day period*  
 28 *may be extended for good cause. The director shall be an interested*  
 29 *party to any appeal.*

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

32 (c) *This section shall become operative on July 1, 2015.*

33 ~~SEC. 9.~~

34 *SEC. 17. Section 3655 of the Unemployment Insurance Code*  
 35 *is amended to read:*

36 *3655. (a) The Employment Development Department shall*  
 37 *consider the facts submitted by an employer pursuant to Section*  
 38 *3654 and, if benefits are claimed subsequent to the filing of the*  
 39 *extended duration benefits claim, make a determination as to the*  
 40 *exhaustee’s eligibility for the extended duration benefits. The*

1 Employment Development Department shall promptly notify the  
2 exhaustee and any employer who prior to the determination has  
3 submitted any facts pursuant to Section 3654 of the determination  
4 and the reasons therefor. The exhaustee and this employer may  
5 appeal therefrom to an administrative law judge within ~~30~~ 20 days  
6 from mailing or personal service of notice of the determination,  
7 *for mailing or personal service that occurs before July 1, 2015.*  
8 ~~The 30-day~~ 20-day period may be extended for good cause. The  
9 Director of Employment Development shall be an interested party  
10 to any appeal.

11 ~~“Good~~

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

14 (c) *This section shall become inoperative on July 1, 2015, and,*  
15 *as of January 1, 2016, is repealed.*

16 SEC. 18. Section 3655 is added to the Unemployment Insurance  
17 Code, to read:

18 3655. (a) *The Employment Development Department shall*  
19 *consider the facts submitted by an employer pursuant to Section*  
20 *3654 and, if benefits are claimed subsequent to the filing of the*  
21 *extended duration benefits claim, make a determination as to the*  
22 *exhaustee’s eligibility for the extended duration benefits. The*  
23 *Employment Development Department shall promptly notify the*  
24 *exhaustee and any employer who prior to the determination has*  
25 *submitted any facts pursuant to Section 3654 of the determination*  
26 *and the reasons therefor. The exhaustee and this employer may*  
27 *appeal therefrom to an administrative law judge within 30 days*  
28 *from mailing or personal service of notice of the determination,*  
29 *for mailing or personal service that occurs on or after July 1, 2015.*  
30 *The 30-day period may be extended for good cause. The Director*  
31 *of Employment Development shall be an interested party to any*  
32 *appeal.*

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

35 (c) *This section shall take effect on July 1, 2015.*

36 ~~SEC. 19.~~

37 SEC. 19. Section 3656 of the Unemployment Insurance Code  
38 is amended to read:

39 3656. (a) Upon the filing of a valid primary claim by an  
40 exhaustee, the department shall promptly make an extended

1 duration award computation that shall set forth the maximum  
2 amount of extended duration benefits potentially payable during  
3 the extended duration period, the weekly benefit amount, and the  
4 expiration date of the extended duration period. The department  
5 shall promptly notify the exhaustee of the computation. The  
6 exhaustee may, within ~~30~~ 20 days after the mailing or personal  
7 service of the notice of computation, *for mailing or personal*  
8 *service that occurs before July 1, 2015*, protest its accuracy. The  
9 ~~30-day~~ 20-day period may be extended for good cause. The  
10 department shall consider the protest and shall promptly notify the  
11 exhaustee of the recomputation or denial of recomputation. An  
12 appeal may be taken from a notice of denial of recomputation in  
13 the manner prescribed in Section 3655. The director shall be an  
14 interested party to any appeal.

15 “~~Good~~

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

18 (c) *This section shall become inoperative on July 1, 2015, and,*  
19 *as of January 1, 2016, is repealed.*

20 SEC. 20. Section 3656 is added to the Unemployment Insurance  
21 Code, to read:

22 3656. (a) *Upon the filing of a valid primary claim by an*  
23 *exhaustee, the department shall promptly make an extended*  
24 *duration award computation that shall set forth the maximum*  
25 *amount of extended duration benefits potentially payable during*  
26 *the extended duration period, the weekly benefit amount, and the*  
27 *expiration date of the extended duration period. The department*  
28 *shall promptly notify the exhaustee of the computation. The*  
29 *exhaustee may, within 30 days after the mailing or personal service*  
30 *of the notice of computation, for mailing or personal service that*  
31 *occurs on or after July 1, 2015, protest its accuracy. The 30-day*  
32 *period may be extended for good cause. The department shall*  
33 *consider the protest and shall promptly notify the exhaustee of the*  
34 *recomputation or denial of recomputation. An appeal may be taken*  
35 *from a notice of denial of recomputation in the manner prescribed*  
36 *in Section 3655. The director shall be an interested party to any*  
37 *appeal.*

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

40 (c) *This section shall take effect on July 1, 2015.*

1     ~~SEC. 11.~~

2     ~~SEC. 21.~~ Section 3701 of the Unemployment Insurance Code  
3 is amended to read:

4     3701. (a) (1) An employer that is entitled under Section 3654  
5 to notice of the filing of a primary claim or additional claim and  
6 that, within 10 days after mailing of the notice, submits to the  
7 department any facts within its possession disclosing whether the  
8 exhaustee left the most recent employment with the employer  
9 voluntarily and without good cause or was discharged from the  
10 employment for misconduct connected with his or her work, or  
11 whether 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, or whether the claimant left the employer's employ to  
15 accompany his or her spouse or domestic partner to a place or join  
16 him or her at a place from which it is impractical to commute to  
17 the employment, and to which a transfer of the claimant by the  
18 employer is not available, or whether the claimant's discharge or  
19 quit from his or her most recent employer was the result of an  
20 irresistible compulsion to use or consume intoxicants, including  
21 alcoholic beverages, or whether the claimant left the employer's  
22 employ to protect his or her family or himself or herself from  
23 domestic violence abuse, or whether the claimant left the  
24 employer's employ to take a substantially better job, shall be  
25 entitled to a ruling as prescribed by this section. The period during  
26 which the employer may submit these facts may be extended by  
27 the director for good cause.

28     (2) For purposes of this section, "spouse" includes a person to  
29 whom marriage is imminent, and "domestic partner" includes a  
30 person to whom a domestic partnership, as described in Section  
31 297 of the Family Code, is imminent.

32     (b) The department shall consider these facts together with any  
33 information in its possession. If the employer is entitled to a  
34 determination pursuant to Section 3655, the department shall  
35 promptly notify the employer of its ruling as to the cause of the  
36 termination of the exhaustee's most recent employment. The  
37 employer may appeal from a ruling or reconsidered ruling to an  
38 administrative law judge within ~~30~~ 20 days after mailing or  
39 personal service of notice of the ruling or reconsidered ruling, *for*  
40 *mailing or personal service that occurs before July 1, 2015.* The

1 ~~30-day~~ 20-day period may be extended for good cause, which shall  
 2 include, but not be limited to, mistake, inadvertence, surprise, or  
 3 excusable neglect. The director shall be an interested party to an  
 4 appeal. The department may for good cause reconsider a ruling or  
 5 reconsidered ruling within either five days after the date an appeal  
 6 to an administrative law judge is filed or, if an appeal is not filed,  
 7 within ~~30~~ 20 days after mailing or personal service of notice of  
 8 the ruling or reconsidered ruling, *for mailing or personal service*  
 9 *that occurs before July 1, 2015*, except that a ruling or reconsidered  
 10 ruling that related to a determination that is reconsidered pursuant  
 11 to subdivision (a) of Section 1332 may also be reconsidered by  
 12 the department within the time provided for reconsideration of that  
 13 determination.

14 (c) For purposes of this section only, if the claimant voluntarily  
 15 leaves the employer’s employ without notification to the employer  
 16 of the reasons therefor, and if the employer submits all of the facts  
 17 within its possession concerning the leaving within the applicable  
 18 time period referred to in this section, the leaving shall be presumed  
 19 to be without good cause.

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

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

26 (f) *This section shall become inoperative on July 1, 2015, and,*  
 27 *as of January 1, 2016, is repealed.*

28 SEC. 22. *Section 3701 is added to the Unemployment Insurance*  
 29 *Code, to read:*

30 3701. (a) (1) *An employer that is entitled under Section 3654*  
 31 *to notice of the filing of a primary claim or additional claim and*  
 32 *that, within 10 days after mailing of the notice, submits to the*  
 33 *department any facts within its possession disclosing whether the*  
 34 *exhaustee left the most recent employment with the employer*  
 35 *voluntarily and without good cause or was discharged from the*  
 36 *employment for misconduct connected with his or her work, or*  
 37 *whether the claimant was a student employed on a temporary basis*  
 38 *and whose employment began within, and ended with his or her*  
 39 *leaving to return to school at the close of, his or her vacation*  
 40 *period, or whether the claimant left the employer’s employ to*

1 accompany his or her spouse or domestic partner to a place or  
2 join him or her at a place from which it is impractical to commute  
3 to the employment, and to which a transfer of the claimant by the  
4 employer is not available, or whether the claimant's discharge or  
5 quit from his or her most recent employer was the result of an  
6 irresistible compulsion to use or consume intoxicants, including  
7 alcoholic beverages, or whether the claimant left the employer's  
8 employ to protect his or her family or himself or herself from  
9 domestic violence abuse, or whether the claimant left the  
10 employer's employ to take a substantially better job, shall be  
11 entitled to a ruling as prescribed by this section. The period during  
12 which the employer may submit these facts may be extended by  
13 the director for good cause.

14 (2) For purposes of this section, "spouse" includes a person to  
15 whom marriage is imminent, and "domestic partner" includes a  
16 person to whom a domestic partnership, as described in Section  
17 297 of the Family Code, is imminent.

18 (b) The department shall consider these facts together with any  
19 information in its possession. If the employer is entitled to a  
20 determination pursuant to Section 3655, the department shall  
21 promptly notify the employer of its ruling as to the cause of the  
22 termination of the exhaustee's most recent employment. The  
23 employer may appeal from a ruling or reconsidered ruling to an  
24 administrative law judge within 30 days after mailing or personal  
25 service of notice of the ruling or reconsidered ruling, for mailing  
26 or personal service that occurs on or after July 1, 2015. The 30-day  
27 period may be extended for good cause, which shall include, but  
28 not be limited to, mistake, inadvertence, surprise, or excusable  
29 neglect. The director shall be an interested party to an appeal.  
30 The department may for good cause reconsider a ruling or  
31 reconsidered ruling within either five days after the date an appeal  
32 to an administrative law judge is filed or, if an appeal is not filed,  
33 within 30 days after mailing or personal service of notice of the  
34 ruling or reconsidered ruling, for mailing or personal service that  
35 occurs on or after July 1, 2015, except that a ruling or reconsidered  
36 ruling that related to a determination that is reconsidered pursuant  
37 to subdivision (a) of Section 1332 may also be reconsidered by  
38 the department within the time provided for reconsideration of  
39 that determination.

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

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

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

13 (f) This section shall become operative on July 1, 2015.

14 ~~SEC. 12.~~

15 *SEC. 23.* Section 4655 of the Unemployment Insurance Code  
 16 is amended to read:

17 4655. (a) The Employment Development Department shall  
 18 consider the facts submitted by an employer pursuant to Section  
 19 4654 and, if benefits are claimed subsequent to the filing of the  
 20 federal-state extended benefits claim, make a determination as to  
 21 the individual's eligibility for the federal-state extended benefits.  
 22 The Employment Development Department shall promptly notify  
 23 the individual and any employer who prior to the determination  
 24 has submitted any facts pursuant to Section 4654 of the  
 25 determination and the reasons therefor. The individual and this  
 26 employer may appeal therefrom to an administrative law judge  
 27 within ~~30~~ 20 days from mailing or personal service of notice of  
 28 the determination, *for mailing or personal service that occurs*  
 29 *before July 1, 2015.* The ~~30-day~~ 20-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~~

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

35 (c) *This section shall become inoperative on July 1, 2015, and,*  
 36 *as of January 1, 2016, is repealed.*

37 *SEC. 24.* Section 4655 is added to the Unemployment Insurance  
 38 Code, to read:

39 4655. (a) The Employment Development Department shall  
 40 consider the facts submitted by an employer pursuant to Section

1 4654 and, if benefits are claimed subsequent to the filing of the  
2 federal-state extended benefits claim, make a determination as to  
3 the individual's eligibility for the federal-state extended benefits.  
4 The Employment Development Department shall promptly notify  
5 the individual and any employer who prior to the determination  
6 has submitted any facts pursuant to Section 4654 of the  
7 determination and the reasons therefor. The individual and this  
8 employer may appeal therefrom to an administrative law judge  
9 within 30 days from mailing or personal service of notice of the  
10 determination, for mailing or personal service that occurs on or  
11 after July 1, 2015. The 30-day period may be extended for good  
12 cause. The Director of Employment Development shall be an  
13 interested party to any appeal.

14 (b) "Good cause," as used in this section, shall include, but not  
15 be limited to, mistake, inadvertence, surprise, or excusable neglect.

16 (c) This section shall become operative on July 1, 2015.

17 ~~SEC. 13.~~

18 SEC. 25. Section 4656 of the Unemployment Insurance Code  
19 is amended to read:

20 4656. (a) Upon the filing of a valid application by an  
21 individual, the department shall promptly make a federal-state  
22 extended benefit award computation that shall set forth the  
23 maximum amount of federal-state extended benefits potentially  
24 payable during the extended benefit period, and the weekly benefit  
25 amount. The department shall promptly notify the individual of  
26 the computation. The individual may, within ~~30~~ 20 days after the  
27 mailing or personal service of the notice of computation or  
28 recomputation, *for mailing or personal service that occurs before*  
29 *July 1, 2015*, protest its accuracy. The ~~30-day~~ 20-day period may  
30 be extended for good cause. The department shall consider this  
31 protest and shall promptly notify the individual of the  
32 recomputation or denial of recomputation. An appeal may be taken  
33 from a notice of denial of recomputation in the manner provided  
34 in Section 4655. The director shall be an interested party to any  
35 appeal.

36 ~~"Good~~

37 (b) "Good cause," as used in this section, shall include, but not  
38 be limited to, mistake, inadvertence, surprise, or excusable neglect.

39 (c) This section shall become inoperative on July 1, 2015, and,  
40 as of January 1, 2016, is repealed.

1     *SEC. 26. Section 4656 is added to the Unemployment Insurance*  
2     *Code, to read:*

3     4656. (a) *Upon the filing of a valid application by an*  
4     *individual, the department shall promptly make a federal-state*  
5     *extended benefit award computation that shall set forth the*  
6     *maximum amount of federal-state extended benefits potentially*  
7     *payable during the extended benefit period, and the weekly benefit*  
8     *amount. The department shall promptly notify the individual of*  
9     *the computation. The individual may, within 30 days after the*  
10    *mailing or personal service of the notice of computation or*  
11    *recomputation, for mailing or personal service that occurs on or*  
12    *after July 1, 2015, protest its accuracy. The 30-day period may be*  
13    *extended for good cause. The department shall consider this protest*  
14    *and shall promptly notify the individual of the recomputation or*  
15    *denial of recomputation. An appeal may be taken from a notice of*  
16    *denial of recomputation in the manner provided in Section 4655.*  
17    *The director shall be an interested party to any appeal.*

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

20    (c) *This section shall become operative July 1, 2015.*

21    ~~SEC. 14.~~

22    *SEC. 27. Section 4701 of the Unemployment Insurance Code*  
23    *is amended to read:*

24    4701. (a) (1) *An employer that is entitled under Section 4654*  
25    *to notice of the filing of an application or additional claim and*  
26    *who, within 10 days after mailing of the notice, submits to the*  
27    *department any facts within its possession disclosing whether the*  
28    *individual left the most recent employment with the employer*  
29    *voluntarily and without good cause or was discharged from the*  
30    *employment for misconduct connected with his or her work, or*  
31    *whether the claimant was a student employed on a temporary basis*  
32    *and whose employment began within, and ended with his or her*  
33    *leaving to return to school at the close of, his or her vacation*  
34    *period, or whether the claimant left the employer’s employ to*  
35    *accompany his or her spouse or domestic partner to a place or to*  
36    *join him or her at a place from which it is impractical to commute*  
37    *to the employment, and to which a transfer of the claimant by the*  
38    *employer is not available, or whether the claimant’s discharge or*  
39    *quit from his or her most recent employer was the result of an*  
40    *irresistible compulsion to use or consume intoxicants, including*

1 alcoholic beverages, or whether the claimant left the employer’s  
2 employ to protect his or her family or himself or herself from  
3 domestic violence abuse, or whether the claimant left the  
4 employer’s employ to take a substantially better job, shall be  
5 entitled to a ruling as prescribed by this section. The period during  
6 which the employer may submit these facts may be extended by  
7 the director for good cause.

8 (2) For purposes of this section, “spouse” includes a person to  
9 whom marriage is imminent, and “domestic partner” includes a  
10 person to whom a domestic partnership, as described in Section  
11 297 of the Family Code, is imminent.

12 (b) The department shall consider the facts together with any  
13 information in its possession. If the employer is entitled to a  
14 determination pursuant to Section 4655, the department shall  
15 promptly issue to the employer its ruling as to the cause of the  
16 termination of the individual’s most recent employment. The  
17 employer may appeal from a ruling or reconsidered ruling to an  
18 administrative law judge within ~~30~~ 20 days after mailing or  
19 personal service of notice of the ruling or reconsidered ruling, *for*  
20 *mailing or personal service that occurs before July 1, 2015*. The  
21 ~~30-day~~ 20-day period may be extended for good cause, which shall  
22 include, but not be limited to, mistake, inadvertence, surprise, or  
23 excusable neglect. The director shall be an interested party to an  
24 appeal. The department may for good cause reconsider a ruling or  
25 reconsidered ruling within either five days after the date an appeal  
26 to an administrative law judge is filed or, if no appeal is filed,  
27 within 30 days after mailing or personal service of notice of the  
28 ruling or reconsidered ruling, except that a ruling or reconsidered  
29 ruling that relates to a determination that is reconsidered pursuant  
30 to subdivision (a) of Section 1332 may also be reconsidered by  
31 the department within the time provided for reconsideration of that  
32 determination.

33 (c) For purposes of this section only, if the claimant voluntarily  
34 leaves the employer’s employ without notification to the employer  
35 of the reasons therefor, and if the employer submits all of the facts  
36 within its possession concerning the leaving within the applicable  
37 time period referred to in this section, the leaving shall be presumed  
38 to be without good cause.

39 (d) An individual whose employment is terminated under the  
40 compulsory retirement provisions of a collective bargaining

1 agreement to which the employer is a party shall not be deemed  
2 to have voluntarily left his or her employment without good cause.  
3 (e) Rulings under this section shall have the effect prescribed  
4 by Section 1032.

5 (f) *This section shall become inoperative on July 1, 2015, and,*  
6 *as of January 1, 2016, is repealed.*

7 SEC. 28. *Section 4701 is added to the Unemployment Insurance*  
8 *Code, to read:*

9 4701. (a) (1) *An employer that is entitled under Section 4654*  
10 *to notice of the filing of an application or additional claim and*  
11 *who, within 10 days after mailing of the notice, submits to the*  
12 *department any facts within its possession disclosing whether the*  
13 *individual left the most recent employment with the employer*  
14 *voluntarily and without good cause or was discharged from the*  
15 *employment for misconduct connected with his or her work, or*  
16 *whether the claimant was a student employed on a temporary basis*  
17 *and whose employment began within, and ended with his or her*  
18 *leaving to return to school at the close of, his or her vacation*  
19 *period, or whether the claimant left the employer's employ to*  
20 *accompany his or her spouse or domestic partner to a place or to*  
21 *join him or her at a place from which it is impractical to commute*  
22 *to the employment, and to which a transfer of the claimant by the*  
23 *employer is not available, or whether the claimant's discharge or*  
24 *quit from his or her most recent employer was the result of an*  
25 *irresistible compulsion to use or consume intoxicants, including*  
26 *alcoholic beverages, or whether the claimant left the employer's*  
27 *employ to protect his or her family or himself or herself from*  
28 *domestic violence abuse, or whether the claimant left the*  
29 *employer's employ to take a substantially better job, shall be*  
30 *entitled to a ruling as prescribed by this section. The period during*  
31 *which the employer may submit these facts may be extended by*  
32 *the director for good cause.*

33 (2) *For purposes of this section, "spouse" includes a person to*  
34 *whom marriage is imminent, and "domestic partner" includes a*  
35 *person to whom a domestic partnership, as described in Section*  
36 *297 of the Family Code, is imminent.*

37 (b) *The department shall consider the facts together with any*  
38 *information in its possession. If the employer is entitled to a*  
39 *determination pursuant to Section 4655, the department shall*  
40 *promptly issue to the employer its ruling as to the cause of the*

1 *termination of the individual's most recent employment. The*  
2 *employer may appeal from a ruling or reconsidered ruling to an*  
3 *administrative law judge within 30 days after mailing or personal*  
4 *service of notice of the ruling or reconsidered ruling, for mailing*  
5 *or personal service that occurs on or after July 1, 2015. The 30-day*  
6 *period may be extended for good cause, which shall include, but*  
7 *not be limited to, mistake, inadvertence, surprise, or excusable*  
8 *neglect. The director shall be an interested party to an appeal.*  
9 *The department may for good cause reconsider a ruling or*  
10 *reconsidered ruling within either five days after the date an appeal*  
11 *to an administrative law judge is filed or, if no appeal is filed,*  
12 *within 30 days after mailing or personal service of notice of the*  
13 *ruling or reconsidered ruling, except that a ruling or reconsidered*  
14 *ruling that relates to a determination that is reconsidered pursuant*  
15 *to subdivision (a) of Section 1332 may also be reconsidered by*  
16 *the department within the time provided for reconsideration of*  
17 *that determination.*

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

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

28 *(e) Rulings under this section shall have the effect prescribed*  
29 *by Section 1032.*

30 *(f) This section shall become operative on July 1, 2015.*

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