

SENATE BILL NO. 111—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE EMPLOYMENT SECURITY DIVISION)

FEBRUARY 22, 2005

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing procedure for determining claims for unemployment compensation. (BDR 53-320)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ***omitted material*** is material to be omitted.

AN ACT relating to unemployment compensation; requiring certain information to be included in the notice given to employers when a former employee files a claim for unemployment compensation; requiring those employers to submit certain evidence in response to such a notice; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Employment Security Division of the Department of Employment, Training and Rehabilitation to provide employers with notice when a new or additional claim for unemployment benefits is filed by a former employee. The notice must contain the claimant's name and social security number. The notice may additionally include the reasons given by the claimant for his separation from employment, the date of separation and such other information as is deemed proper. In response to the notice, the employer must provide the Division with any facts which may affect the claimant's eligibility for benefits. (NRS 612.475)

This bill provides that the notice sent to employers must include the reasons given by the claimant for his separation from employment, the date of separation and such other information as is deemed proper. This bill also provides that, in response to such a notice, the employer must submit to the Division all relevant facts which may affect the claimant's eligibility for benefits.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 612.475 is hereby amended to read as follows:
2 612.475 1. The last employing unit of any unemployed
3 claimant and the next to last employing unit of an unemployed
4 claimant who has not earned remuneration with his last covered
5 employer equal to or exceeding his weekly benefit amount in each
6 of 16 weeks must be notified of any new claim or additional claim
7 filed by the unemployed claimant following his separation.
8 2. The notice of the filing of a claim must contain the
9 claimant's name and social security number , ~~and may contain~~ the
10 reason for separation from the employing unit affected as given by
11 the claimant, the date of separation and such other information as is
12 deemed proper.
13 3. Upon receipt of a notice of the filing of a claim, the
14 employing unit shall, within 10 days after the date of the mailing of
15 the notice, submit to the Division ~~any~~ **all relevant** facts which may
16 affect the claimant's rights to benefits.
17 4. Any employing unit that receives a notice of the filing of a
18 claim may protest payment of benefits to the unemployed claimant
19 if the protest is filed within 10 days after the notice is filed.
20 5. Any employing unit which has filed a protest in accordance
21 with the provisions of this section must be notified in writing of the
22 determination arrived at by the Administrator or his Deputy, and the
23 notice must contain a statement setting forth the right of appeal.
24 6. As used in this section:
25 (a) "Additional claim" means a claim filed during the benefit
26 year when a break of 1 week or more has occurred in the series of
27 claims with intervening employment.
28 (b) "New claim" means an application for a determination of
29 eligibility and benefits, benefit amount and duration of benefits
30 which certifies to the beginning date of a first period of
31 unemployment in a benefit year or the continuance of a period of
32 unemployment into a new benefit year.
33 **Sec. 2.** This act becomes effective on July 1, 2005.

