
DIGEST

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Dixon

HB No. 303

Abstract: Reduces the time period for a "notice to appear for a hearing" to be mailed and provides for the waiver of the requirement that written notices or determinations be sent by certified mail.

Present law requires that certain notices and determinations be transmitted to parties in an unemployment compensation case by certified mail.

Proposed law provides that an employer, his representative, or the claimant may waive the right to receive any notice or determination by certified mail.

Proposed law provides that the waiver shall be in writing and be mailed or submitted electronically to La. Workforce Commission (LWC).

Proposed law provides that when the right to delivery by certified mail has been waived, the parties may receive notices and determinations by first class mail or by electronic transmission.

Proposed law provides that the notice or determination is deemed delivered when it has been mailed or electronically transmitted.

Present law provides that within 15 days of receiving notification of a determination that a claimant is disqualified from collecting unemployment benefits, the claimant may file an appeal.

Present law provides that the claimant may mail or deliver the appeal to the appeal tribunal.

Present law provides that the appeal tribunal shall mail a "notice to appear for a hearing" to all parties to the appeal at least 10 days prior to the date of hearing.

Proposed law changes the time period allowed for the "notice to appear for a hearing" to be mailed from 10 days to seven days.

Proposed law allows a party to the appeal to expressly waive the seven day advance notice requirement by written waiver.

Proposed law requires that a copy of the written waiver be included in the record.

Proposed law provides that a waiver of the seven day advance notice does not extinguish the

requirement that a "notice to appear for a hearing" be sent.

(Amends R.S. 23:1629(A); Adds R.S. 23:1599)