

Regular Session, 2013

HOUSE BILL NO. 303

BY REPRESENTATIVE DIXON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 23:1629(A) and to enact R.S. 23:1599, relative to unemployment
3 compensation; to provide with respect to notice requirements; to waive the
4 requirement that certain notices be sent by certified mail; to shorten notice time
5 period for appeals; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1629(A) is hereby amended and reenacted and R.S. 23:1599 is
8 hereby enacted to read as follows:

9 §1599. Waiver of certified mail requirement

10 An employer, his duly authorized representative, or the claimant may waive
11 the right under this Chapter to receive written notices or determinations by certified
12 mail. The waiver shall be in writing and shall be mailed or transmitted electronically
13 to the office of unemployment insurance administration within the Louisiana
14 Workforce Commission. If the right to receive written notices and determinations
15 by certified mail has been waived, written notices or determinations may be
16 transmitted by first class mail or by electronic delivery. A notice or determination
17 is deemed delivered when it has been mailed or electronically transmitted.

18 * * *

19 §1629. Appeals to appeal referee; time for filing; notice of hearing and decision

20 A.(1) Within fifteen days after notification was given or was mailed to his
21 last known address, the claimant or any other party entitled to notice of a
22 determination may file an appeal from such determination with an appeal referee
23 either by mailing such appeal, as evidenced by the postmarked date, or by delivering

1 such appeal. The appeal referee shall mail a "notice to appear for a hearing" to all
2 parties to the appeal at least ~~ten~~ seven days prior to the date of hearing, and copies
3 of the statements by the claimant and employer, which were used in the appealed
4 determination, shall be sent with such notice if requested.

5 (2)(a) A party to an appeal may expressly waive the seven-day advance
6 notice requirement by written waiver executed after the appeal has been filed.

7 (b) A copy of the written waiver shall be included in the record.

8 (3) Nothing in this Section shall be construed to dispense with the
9 requirement that a "notice to appear for hearing" be mailed.

10 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____