

Adopted Rejected

COMMITTEE REPORT

YES: **9**
NO: **3**

MR. SPEAKER:

*Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1457, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 1 through 17.
- 2 Delete page 2.
- 3 Page 3, delete line 1.
- 4 Page 10, between lines 2 and 3, begin a new paragraph and insert:
- 5 "SECTION 4. IC 22-4-14-3, AS AMENDED BY P.L.110-2010,
- 6 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 2013]: Sec. 3. (a) An individual who is receiving benefits as
- 8 determined under IC 22-4-15-1(c)(8) may restrict the individual's
- 9 availability because of the individual's need to address the physical,
- 10 psychological, or legal effects of being a victim of domestic or family
- 11 violence (as defined in IC 31-9-2-42).
- 12 (b) An unemployed individual shall be eligible to receive benefits
- 13 with respect to any week only if the individual:

1 (1) is physically and mentally able to work;
 2 (2) is available for work;
 3 (3) is found by the department to be making an effort to secure
 4 full-time work; and
 5 (4) participates in reemployment services ~~such as job search~~
 6 ~~assistance services; if the individual has been determined to be~~
 7 ~~likely to exhaust regular benefits and to need reemployment~~
 8 ~~services under a profiling system established by the department;~~
 9 **and reemployment and eligibility assessment activities when**
 10 **directed by the department**, unless the department determines
 11 that:

12 (A) the individual has completed the reemployment services;
 13 or
 14 (B) failure by the individual to participate in or complete the
 15 reemployment services is excused by the director under
 16 IC 22-4-14-2(b).

17 The term "effort to secure full-time work" shall be defined by the
 18 department through rule which shall take into consideration whether
 19 such individual has a reasonable assurance of reemployment and, if so,
 20 the length of the prospective period of unemployment. However, if an
 21 otherwise eligible individual is unable to work or unavailable for work
 22 on any normal work day of the week the individual shall be eligible to
 23 receive benefits with respect to such week reduced by one-third (1/3)
 24 of the individual's weekly benefit amount for each day of such inability
 25 to work or unavailability for work.

26 (c) For the purpose of this article, unavailability for work of an
 27 individual exists in, but is not limited to, any case in which, with
 28 respect to any week, it is found:

29 (1) that such individual is engaged by any unit, agency, or
 30 instrumentality of the United States, in charge of public works or
 31 assistance through public employment, or any unit, agency, or
 32 instrumentality of this state, or any political subdivision thereof,
 33 in charge of any public works or assistance through public
 34 employment;
 35 (2) that such individual is in full-time active military service of
 36 the United States, or is enrolled in civilian service as a
 37 conscientious objector to military service;
 38 (3) that such individual is suspended for misconduct in

1 connection with the individual's work; or
 2 (4) that such individual is in attendance at a regularly established
 3 public or private school during the customary hours of the
 4 individual's occupation or is in any vacation period intervening
 5 between regular school terms during which the individual is a
 6 student. However, this subdivision does not apply to any
 7 individual who is attending a regularly established school, has
 8 been regularly employed and upon becoming unemployed makes
 9 an effort to secure full-time work and is available for suitable
 10 full-time work with the individual's last employer, or is available
 11 for any other full-time employment deemed suitable.

12 (d) Notwithstanding any other provisions in this section or
 13 IC 22-4-15-2, no otherwise eligible individual shall be denied benefits
 14 for any week because the individual is in training with the approval of
 15 the department, nor shall such individual be denied benefits with
 16 respect to any week in which the individual is in training with the
 17 approval of the department by reason of the application of the
 18 provisions of this section with respect to the availability for work or
 19 active search for work or by reason of the application of the provisions
 20 of IC 22-4-15-2 relating to failure to apply for, or the refusal to accept,
 21 suitable work. The department shall by rule prescribe the conditions
 22 under which approval of such training will be granted.

23 (e) Notwithstanding subsection (b), (c), or (d), or IC 22-4-15-2, an
 24 otherwise eligible individual shall not be denied benefits for any week
 25 or determined not able, available, and actively seeking work, because
 26 the individual is responding to a summons for jury service. The
 27 individual shall:

28 (1) obtain from the court proof of the individual's jury service;
 29 and

30 (2) provide to the department, in the manner the department
 31 prescribes by rule, proof of the individual's jury service.

32 **(f) For purposes of this section, reemployment services and**
 33 **reemployment and eligibility assessment activities provided to an**
 34 **individual:**

35 **(1) must include:**

36 **(A) orientation to the services available through a one stop**
 37 **center (as defined by IC 22-4.5-2-6);**

38 **(B) provision of labor market and career information;**

- 1 **(C) assessment of the individual's workforce and other job**
- 2 **related skills; and**
- 3 **(D) a review of the individual's work search efforts; and**
- 4 **(2) may include:**
 - 5 **(A) comprehensive and specialized assessments;**
 - 6 **(B) individual and group career counseling;**
 - 7 **(C) training services;**
 - 8 **(D) additional services to assist the individual in becoming**
 - 9 **reemployed;**
 - 10 **(E) job search counseling; and**
 - 11 **(F) development and review of the individual's**
 - 12 **reemployment plan that includes the individual's**
 - 13 **participation in job search activities and appropriate**
 - 14 **workshops.**

15 **(g) The department may require an individual participating in**
 16 **reemployment and eligibility assessment activities described in this**
 17 **section to provide proof of identity."**

18 Page 10, delete lines 3 through 42.
 19 Renumber all SECTIONS consecutively.
 (Reference is to HB 1457 as introduced.)

and when so amended that said bill do pass.

Representative Gutwein