

2014 -- H 7871

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LC004568  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS - EMPLOYMENT SECURITY -  
BENEFITS

Introduced By: Representatives Morin, and Shekarchi

Date Introduced: March 04, 2014

Referred To: House Labor

(Labor & Training)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-44-38 of the General Laws in Chapter 28-44 entitled  
2 "Employment Security - Benefits" is hereby amended to read as follows:

3 **28-44-38. Filing of claims -- Procedures -- Printed copies -- Notices.** -- (a) Claims for  
4 waiting period credit and for benefits shall be filed in accordance with regulations adopted as  
5 prescribed. Each employer shall post and maintain printed copies or statements of those  
6 regulations in places readily accessible to individuals employed by him or her. The director shall  
7 supply each employer with copies of those regulations or statements of the regulations without  
8 cost to the employers.

9 (b) The director shall prescribe the type of reports required from employers and the  
10 manner in which the reports shall be presented.

11 (c) Upon the filing of a claim, the director shall promptly ~~mail a notice of the filing of~~  
12 ~~the claim to~~ notify the claimant's most recent employer and ~~to~~ all employers for whom the  
13 claimant states he or she performed services and earned wages during his or her base period. The  
14 employers shall promptly furnish the information required to determine the claimant's benefit  
15 rights. If the claimant's employer or employers have any information which might affect either  
16 the validity of the claim or the right of the claimant to waiting period credit or benefits, he or she  
17 shall return the notice with that information. If an employer fails without good cause as  
18 established to the satisfaction of the director to return this notice within ~~seven (7)~~ ten (10)

1 working days of its mailing, the employer shall have no standing to contest any determination to  
2 be made by the director with respect to the claim and any benefit charges pursuant to it, and the  
3 employer shall be barred from being a party to any further proceedings relating to the claim.  
4 Notwithstanding any inconsistent provisions of chapters 42 -- 44 of this title, any employer who  
5 fails to return the notice within that time shall pay a penalty of twenty-five dollars (\$25.00) for  
6 each failure. The preceding penalty shall be paid into the employment security tardy account  
7 fund, and if any employer fails to pay the penalty, when assessed, it shall be collected by civil  
8 action as provided in section 28-43-18. [As of July 7, 2014, employers who have twenty-five \(25\)](#)  
9 [or more employees shall be required to provide the necessary information to determine the](#)  
10 [claimant's benefit rights to the department through the Unemployment Insurance State](#)  
11 [Information Data Exchange System \(UI SIDES\).](#)

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO LABOR AND LABOR RELATIONS - EMPLOYMENT SECURITY -  
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1           This act would require that as of July 7, 2014, and thereafter, employers with twenty-five  
2 (25) or more employees use the on-line Unemployment Insurance State Information Data  
3 Exchange System (UI SIDES) to provide separation information on a former employee to the  
4 Department of Labor and Training when the individual files a claim for benefits. This act would  
5 further require the department to promptly notify the most recent and past reported employers of  
6 the individual's claim for benefits. This act would extend the time given to employers to return  
7 the necessary information from seven (7) to ten (10) days.

8           This act would take effect upon passage.

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