

107.30 **ARTICLE 6**107.31 **UNEMPLOYMENT INSURANCE**155.5 **ARTICLE 7**155.6 **DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT**

107.32 Section 1. Minnesota Statutes 2014, section 268.035, subdivision 6, is amended to read:

108.1 Subd. 6. **Benefit year.** "Benefit year" means the period of 52 calendar weeks
 108.2 beginning the date a benefit account is effective. For a benefit account established
 108.3 effective any January 1, April 1, July 1, or October 1, ~~or January 2, 2000, or October 2,~~
 108.4 ~~2011,~~ the benefit year will be a period of 53 calendar weeks.

108.5 **EFFECTIVE DATE.** This section is effective August 2, 2015.

108.6 Sec. 2. Minnesota Statutes 2014, section 268.035, subdivision 21b, is amended to read:

108.7 Subd. 21b. **Preponderance of the evidence.** "Preponderance of the evidence"
 108.8 means evidence in substantiation support of a fact that, ~~when weighed against the evidence~~
 108.9 ~~opposing the fact,~~ is more convincing and has a greater probability of truth than the
 108.10 evidence opposing the fact.

108.11 **EFFECTIVE DATE.** This section is effective August 2, 2015.

108.12 Sec. 3. Minnesota Statutes 2014, section 268.035, subdivision 26, is amended to read:

108.13 Subd. 26. **Unemployed.** An applicant is considered "unemployed" (+) in any week
 108.14 that:

108.15 (1) the applicant performs less than 32 hours of service in employment, covered
 108.16 employment, noncovered employment, self-employment, or volunteer work; and

108.17 (2) any earnings with respect to that week are less than the applicant's weekly
 108.18 unemployment benefit amount.

108.19 **EFFECTIVE DATE.** This section is effective August 2, 2015.

108.20 Sec. 4. Minnesota Statutes 2014, section 268.035, subdivision 30, is amended to read:

108.21 Subd. 30. **Wages paid.** (a) "Wages paid" means the amount of wages:

108.22 (1) that have been actually paid; or

108.23 (2) that have been credited to or set apart so that payment and disposition is under
 108.24 the control of the employee.

162.1 Sec. 9. Minnesota Statutes 2014, section 268.035, subdivision 6, is amended to read:

162.2 Subd. 6. **Benefit year.** "Benefit year" means the period of 52 calendar weeks
 162.3 beginning the date a benefit account is effective. For a benefit account established
 162.4 effective any January 1, April 1, July 1, or October 1, ~~or January 2, 2000, or October 2,~~
 162.5 ~~2011,~~ the benefit year will be a period of 53 calendar weeks.

162.6 **EFFECTIVE DATE.** This section is effective August 2, 2015.

162.7 Sec. 10. Minnesota Statutes 2014, section 268.035, subdivision 21b, is amended to read:

162.8 Subd. 21b. **Preponderance of the evidence.** "Preponderance of the evidence"
 162.9 means evidence in substantiation support of a fact that, ~~when weighed against the evidence~~
 162.10 ~~opposing the fact,~~ is more convincing and has a greater probability of truth than the
 162.11 evidence opposing the fact.

162.12 **EFFECTIVE DATE.** This section is effective August 2, 2015.

162.13 Sec. 11. Minnesota Statutes 2014, section 268.035, subdivision 26, is amended to read:

162.14 Subd. 26. **Unemployed.** An applicant is considered "unemployed" (+) in any week
 162.15 that:

162.16 (1) the applicant performs less than 32 hours of service in employment, covered
 162.17 employment, noncovered employment, self-employment, or volunteer work; and

162.18 (2) any earnings with respect to that week are less than the applicant's weekly
 162.19 unemployment benefit amount.

162.20 **EFFECTIVE DATE.** This section is effective August 2, 2015.

162.21 Sec. 12. Minnesota Statutes 2014, section 268.035, subdivision 30, is amended to read:

162.22 Subd. 30. **Wages paid.** (a) "Wages paid" means the amount of wages:

162.23 (1) that have been actually paid; or

162.24 (2) that have been credited to or set apart so that payment and disposition is under
 162.25 the control of the employee.

108.25 (b) Wage payments delayed beyond the regularly scheduled pay date are considered
 108.26 "wages paid" on the missed pay date. Back pay is considered "wages paid" on the date
 108.27 of actual payment. Any wages earned but not paid with no scheduled date of payment is
 108.28 considered "wages paid" on the last day of employment.

108.29 (b) (c) Wages paid does not include wages earned but not paid except as provided
 108.30 for in this subdivision.

108.31 **EFFECTIVE DATE.** This section is effective August 2, 2015.

109.1 Sec. 5. Minnesota Statutes 2014, section 268.051, is amended by adding a subdivision
 109.2 to read:

109.3 Subd. 2a. **Unemployment insurance tax reduction.** (a) If the balance in the trust
 109.4 fund on December 31 of any calendar year exceeds the average high cost multiple of 0.9,
 109.5 future unemployment taxes payable must be reduced by all amounts above 0.9. The
 109.6 amount of tax reduction for any taxpaying employer is the same percentage of the total
 109.7 amount above 0.9 as the percentage of taxes paid by nonmaximum experience rated
 109.8 employers for the prior calendar year.

109.9 (b) This subdivision only applies if the balance in the trust fund on December 31 is
 109.10 four percent or more above the average high cost multiple of 0.9.

109.11 (c) For the purposes of this subdivision, "average high cost multiple" has the same
 109.12 meaning as given in Code of Federal Regulations, title 20, section 606.3, as amended
 109.13 through the effective date of this section.

109.14 (d) This subdivision does not apply to employers that are at the maximum experience
 109.15 rating for the calendar year, nor to high experience rating industry employers under section
 109.16 268.051, subdivision 5, paragraph (b). Computations under paragraph (a) are not subject
 109.17 to the rounding requirement of section 268.034. The refund provisions of section 268.057,
 109.18 subdivision 7, do not apply. Computations under paragraph (a) are based upon taxes paid
 109.19 on or before February 15 of the calendar year.

109.20 (e) The unemployment tax reduction under this subdivision applies to taxes paid
 109.21 between March 1 and December 15 of the year following the December 31 calculation
 109.22 under paragraph (a).

109.23 Sec. 6. Minnesota Statutes 2014, section 268.051, subdivision 7, is amended to read:

162.26 (b) Wage payments delayed beyond the regularly scheduled pay date are considered
 162.27 "wages paid" on the missed pay date. Back pay is considered "wages paid" on the date
 162.28 of actual payment. Any wages earned but not paid with no scheduled date of payment is
 162.29 considered "wages paid" on the last day of employment.

162.30 (b) (c) Wages paid does not include wages earned but not paid except as provided
 162.31 for in this subdivision.

163.1 **EFFECTIVE DATE.** This section is effective August 2, 2015.

163.2 Sec. 13. Minnesota Statutes 2014, section 268.051, subdivision 7, is amended to read:

109.24 Subd. 7. **Tax rate buydown.** (a) Any taxpaying employer that has been assigned
 109.25 a tax rate based upon an experience rating, and has no amounts past due under this
 109.26 chapter, may, upon the payment of an amount equivalent to any portion or all of the
 109.27 unemployment benefits used in computing the experience rating plus a surcharge of 25
 109.28 percent, obtain a cancellation of unemployment benefits used equal to the payment made,
 109.29 less the surcharge. The payment is applied to the most recent unemployment benefits paid
 109.30 that are used in computing the experience rating. Upon the payment, the commissioner
 109.31 must compute a new experience rating for the employer, and compute a new tax rate.

109.32 (b) Payments for a tax rate buydown may be made only by electronic payment
 109.33 and must be received within 120 calendar days from the beginning of the calendar year
 109.34 for which the tax rate is effective.

110.1 (e) ~~For calendar years 2011, 2012, and 2013, the surcharge of 25 percent provided~~
 110.2 ~~for in paragraph (a) does not apply.~~

110.3 **EFFECTIVE DATE.** This section is effective August 2, 2015.

110.4 Sec. 7. Minnesota Statutes 2014, section 268.07, subdivision 2, is amended to read:

110.5 Subd. 2. **Benefit account requirements.** (a) Unless paragraph (b) applies, to
 110.6 establish a benefit account an applicant must have total wage credits in the applicant's four
 110.7 quarter base period of at least: ~~(1) \$2,400; or (2) 5.3 percent of the state's average annual~~
 110.8 ~~wage rounded down to the next lower \$100, whichever is higher.~~

110.9 (b) To establish a new benefit account ~~within 52 calendar weeks~~ following the
 110.10 expiration of the benefit year on a prior benefit account, an applicant must have performed
 110.11 ~~services actual work~~ in subsequent covered employment and have been paid wages in one
 110.12 or more completed calendar quarters that started after the effective date of the prior benefit
 110.13 account. The wages paid for ~~those services that employment~~ must be at least enough to
 110.14 meet the requirements of paragraph (a). A benefit account under this paragraph may not
 110.15 be established effective earlier than the Sunday following the end of the most recent
 110.16 completed calendar quarter in which the requirements of paragraph (a) were met. ~~One~~
 110.17 ~~of the reasons for this paragraph is to prevent~~ An applicant ~~from establishing~~ may not
 110.18 establish a second benefit account as a result of one loss of employment.

110.19 **EFFECTIVE DATE.** This section is effective August 2, 2015, except the amendment
 110.20 striking "within 52 calendar weeks" is effective the day following final enactment.

110.21 Sec. 8. Minnesota Statutes 2014, section 268.07, subdivision 3b, is amended to read:

163.3 Subd. 7. **Tax rate buydown.** (a) Any taxpaying employer that has been assigned
 163.4 a tax rate based upon an experience rating, and has no amounts past due under this
 163.5 chapter, may, upon the payment of an amount equivalent to any portion or all of the
 163.6 unemployment benefits used in computing the experience rating plus a surcharge of 25
 163.7 percent, obtain a cancellation of unemployment benefits used equal to the payment made,
 163.8 less the surcharge. The payment is applied to the most recent unemployment benefits paid
 163.9 that are used in computing the experience rating. Upon the payment, the commissioner
 163.10 must compute a new experience rating for the employer, and compute a new tax rate.

163.11 (b) Payments for a tax rate buydown may be made only by electronic payment
 163.12 and must be received within 120 calendar days from the beginning of the calendar year
 163.13 for which the tax rate is effective.

163.14 (e) ~~For calendar years 2011, 2012, and 2013, the surcharge of 25 percent provided~~
 163.15 ~~for in paragraph (a) does not apply.~~

163.16 **EFFECTIVE DATE.** This section is effective August 2, 2015.

163.17 Sec. 14. Minnesota Statutes 2014, section 268.07, subdivision 2, is amended to read:

163.18 Subd. 2. **Benefit account requirements.** (a) Unless paragraph (b) applies, to
 163.19 establish a benefit account an applicant must have total wage credits in the applicant's four
 163.20 quarter base period of at least: ~~(1) \$2,400; or (2) 5.3 percent of the state's average annual~~
 163.21 ~~wage rounded down to the next lower \$100, whichever is higher.~~

163.22 (b) To establish a new benefit account ~~within 52 calendar weeks~~ following the
 163.23 expiration of the benefit year on a prior benefit account, an applicant must have performed
 163.24 ~~services actual work~~ in subsequent covered employment and have been paid wages in one
 163.25 or more completed calendar quarters that started after the effective date of the prior benefit
 163.26 account. The wages paid for ~~those services that employment~~ must be at least enough to
 163.27 meet the requirements of paragraph (a). A benefit account under this paragraph may not
 163.28 be established effective earlier than the Sunday following the end of the most recent
 163.29 completed calendar quarter in which the requirements of paragraph (a) were met. ~~One~~
 163.30 ~~of the reasons for this paragraph is to prevent~~ An applicant ~~from establishing~~ may not
 163.31 establish a second benefit account as a result of one loss of employment.

163.32 **EFFECTIVE DATE.** This section is effective August 2, 2015, except the amendment
 163.33 striking "within 52 calendar weeks" is effective the day following final enactment.

164.1 Sec. 15. Minnesota Statutes 2014, section 268.07, subdivision 3b, is amended to read:

110.22 Subd. 3b. **Limitations on applications and benefit accounts.** (a) An application for
 110.23 unemployment benefits is effective the Sunday of the calendar week that the application
 110.24 was filed. An application for unemployment benefits may be backdated one calendar week
 110.25 before the Sunday of the week the application was actually filed if the applicant requests
 110.26 the backdating at the time the application is filed. An application may be backdated only
 110.27 if the applicant was unemployed during the period of the backdating. If an individual
 110.28 attempted to file an application for unemployment benefits, but was prevented from filing
 110.29 an application by the department, the application is effective the Sunday of the calendar
 110.30 week the individual first attempted to file an application.

110.31 (b) A benefit account established under subdivision 2 is effective the date the
 110.32 application for unemployment benefits was effective.

110.33 (c) A benefit account, once established, may later be withdrawn only if:

111.1 (1) the applicant has not been paid any unemployment benefits on that benefit
 111.2 account; and

111.3 (2) a new application for unemployment benefits is filed and a new benefit account is
 111.4 established at the time of the withdrawal.

111.5 A determination or amended determination of eligibility or ineligibility issued under
 111.6 section 268.101, that was sent before the withdrawal of the benefit account, remains in
 111.7 effect and is not voided by the withdrawal of the benefit account.

111.8 (d) An application for unemployment benefits is not allowed before the Sunday
 111.9 following the expiration of the benefit year on a prior benefit account. Except as allowed
 111.10 under paragraph (c), an applicant may establish only one benefit account each 52 calendar
 111.11 weeks. This paragraph applies to benefit accounts established under any federal law or
 111.12 the law of any other state.

111.13 **EFFECTIVE DATE.** This section is effective August 2, 2015.

111.14 Sec. 9. Minnesota Statutes 2014, section 268.085, subdivision 1, is amended to read:

111.15 Subdivision 1. **Eligibility conditions.** An applicant may be eligible to receive
 111.16 unemployment benefits for any week if:

111.17 (1) the applicant has filed a continued request for unemployment benefits for that
 111.18 week under section 268.0865;

111.19 (2) the week for which unemployment benefits are requested is in the applicant's
 111.20 benefit year;

111.21 (3) the applicant was unemployed as defined in section 268.035, subdivision 26;

164.2 Subd. 3b. **Limitations on applications and benefit accounts.** (a) An application for
 164.3 unemployment benefits is effective the Sunday of the calendar week that the application
 164.4 was filed. An application for unemployment benefits may be backdated one calendar week
 164.5 before the Sunday of the week the application was actually filed if the applicant requests
 164.6 the backdating at the time the application is filed. An application may be backdated only
 164.7 if the applicant was unemployed during the period of the backdating. If an individual
 164.8 attempted to file an application for unemployment benefits, but was prevented from filing
 164.9 an application by the department, the application is effective the Sunday of the calendar
 164.10 week the individual first attempted to file an application.

164.11 (b) A benefit account established under subdivision 2 is effective the date the
 164.12 application for unemployment benefits was effective.

164.13 (c) A benefit account, once established, may later be withdrawn only if:

164.14 (1) the applicant has not been paid any unemployment benefits on that benefit
 164.15 account; and

164.16 (2) a new application for unemployment benefits is filed and a new benefit account is
 164.17 established at the time of the withdrawal.

164.18 A determination or amended determination of eligibility or ineligibility issued under
 164.19 section 268.101, that was sent before the withdrawal of the benefit account, remains in
 164.20 effect and is not voided by the withdrawal of the benefit account.

164.21 (d) An application for unemployment benefits is not allowed before the Sunday
 164.22 following the expiration of the benefit year on a prior benefit account. Except as allowed
 164.23 under paragraph (c), an applicant may establish only one benefit account each 52 calendar
 164.24 weeks. This paragraph applies to benefit accounts established under any federal law or
 164.25 the law of any other state.

164.26 **EFFECTIVE DATE.** This section is effective August 2, 2015.

164.27 Sec. 16. Minnesota Statutes 2014, section 268.085, subdivision 1, is amended to read:

164.28 Subdivision 1. **Eligibility conditions.** An applicant may be eligible to receive
 164.29 unemployment benefits for any week if:

164.30 (1) the applicant has filed a continued request for unemployment benefits for that
 164.31 week under section 268.0865;

164.32 (2) the week for which unemployment benefits are requested is in the applicant's
 164.33 benefit year;

164.34 (3) the applicant was unemployed as defined in section 268.035, subdivision 26;

111.22 (4) the applicant was available for suitable employment as defined in subdivision
 111.23 15. The applicant's weekly unemployment benefit amount is reduced one-fifth for each
 111.24 day the applicant is unavailable for suitable employment. This clause does not apply to
 111.25 an applicant who is in reemployment assistance training, or each day the applicant is on
 111.26 jury duty or serving as an election judge;

111.27 (5) the applicant was actively seeking suitable employment as defined in subdivision
 111.28 16. This clause does not apply to an applicant who is in reemployment assistance training
 111.29 or who was on jury duty throughout the week;

111.30 (6) the applicant has served a nonpayable period of one week that the applicant is
 111.31 otherwise entitled to some amount of unemployment benefits. This clause does not apply
 111.32 if the applicant would have been entitled to federal disaster unemployment assistance
 111.33 because of a disaster in Minnesota, but for the applicant's establishment of a benefit
 111.34 account under section 268.07; and

112.1 (7) the applicant has been participating in reemployment assistance services, such as
 112.2 job development of, and adherence to, a work search ~~and resume writing classes plan~~, if
 112.3 the applicant has been ~~determined in need of reemployment assistance services directed~~
 112.4 ~~to participate~~ by the commissioner, ~~unless~~. This clause does not apply if the applicant
 112.5 has good cause for failing to participate.

112.6 **EFFECTIVE DATE.** This section is effective August 2, 2015.

112.7 Sec. 10. Minnesota Statutes 2014, section 268.085, subdivision 2, is amended to read:

112.8 Subd. 2. **Not eligible.** An applicant is ineligible for unemployment benefits for
 112.9 any week:

112.10 (1) that occurs before the effective date of a benefit account;

112.11 (2) that the applicant, at the beginning of the week, has an outstanding fraud
 112.12 overpayment balance under section 268.18, subdivision 2, including any penalties and
 112.13 interest;

112.14 (3) that occurs in a period when the applicant is a student in attendance at, or on
 112.15 vacation from a secondary school including the period between academic years or terms;

112.16 (4) that the applicant is incarcerated or performing court-ordered community service.
 112.17 The applicant's weekly unemployment benefit amount is reduced by one-fifth for each day
 112.18 the applicant is incarcerated or performing court-ordered community service;

112.19 (5) that the applicant fails or refuses to provide information on an issue of
 112.20 ineligibility required under section 268.101;

165.1 (4) the applicant was available for suitable employment as defined in subdivision
 165.2 15. The applicant's weekly unemployment benefit amount is reduced one-fifth for each
 165.3 day the applicant is unavailable for suitable employment. This clause does not apply to
 165.4 an applicant who is in reemployment assistance training, or each day the applicant is on
 165.5 jury duty or serving as an election judge;

165.6 (5) the applicant was actively seeking suitable employment as defined in subdivision
 165.7 16. This clause does not apply to an applicant who is in reemployment assistance training
 165.8 or who was on jury duty throughout the week;

165.9 (6) the applicant has served a nonpayable period of one week that the applicant is
 165.10 otherwise entitled to some amount of unemployment benefits. This clause does not apply
 165.11 if the applicant would have been entitled to federal disaster unemployment assistance
 165.12 because of a disaster in Minnesota, but for the applicant's establishment of a benefit
 165.13 account under section 268.07; and

165.14 (7) the applicant has been participating in reemployment assistance services, such as
 165.15 job development of, and adherence to, a work search ~~and resume writing classes plan~~, if
 165.16 the applicant has been ~~determined in need of reemployment assistance services directed~~
 165.17 ~~to participate~~ by the commissioner, ~~unless~~. This clause does not apply if the applicant
 165.18 has good cause for failing to participate.

165.19 **EFFECTIVE DATE.** This section is effective August 2, 2015.

165.20 Sec. 17. Minnesota Statutes 2014, section 268.085, subdivision 2, is amended to read:

165.21 Subd. 2. **Not eligible.** An applicant is ineligible for unemployment benefits for
 165.22 any week:

165.23 (1) that occurs before the effective date of a benefit account;

165.24 (2) that the applicant, at the beginning of the week, has an outstanding fraud
 165.25 overpayment balance under section 268.18, subdivision 2, including any penalties and
 165.26 interest;

165.27 (3) that occurs in a period when the applicant is a student in attendance at, or on
 165.28 vacation from a secondary school including the period between academic years or terms;

165.29 (4) that the applicant is incarcerated or performing court-ordered community service.
 165.30 The applicant's weekly unemployment benefit amount is reduced by one-fifth for each day
 165.31 the applicant is incarcerated or performing court-ordered community service;

165.32 (5) that the applicant fails or refuses to provide information on an issue of
 165.33 ineligibility required under section 268.101;

112.21 (6) that the applicant is performing services 32 hours or more, in employment,
 112.22 covered employment, noncovered employment, volunteer work, or self-employment
 112.23 regardless of the amount of any earnings; or

112.24 (7) with respect to which the applicant ~~is receiving, has received, or has filed an~~
 112.25 application for unemployment benefits under any federal law or the law of any other
 112.26 state. If the appropriate agency finally determines that the applicant is not entitled to ~~the~~
 112.27 ~~unemployment benefits~~ establish a benefit account under federal law of the law of any
 112.28 other state, this clause does not apply.

112.29 **EFFECTIVE DATE.** This section is effective August 2, 2015.

112.30 Sec. 11. Minnesota Statutes 2014, section 268.095, subdivision 1, is amended to read:

112.31 Subdivision 1. **Quit.** An applicant who quit employment is ineligible for all
 112.32 unemployment benefits according to subdivision 10 except when:

113.1 (1) the applicant quit the employment because of a good reason caused by the
 113.2 employer as defined in subdivision 3;

113.3 (2) the applicant quit the employment to accept other covered employment that
 113.4 provided ~~substantially~~ equal to or better terms and conditions of employment, but
 113.5 the applicant did not work long enough at the second employment to have sufficient
 113.6 subsequent earnings to satisfy the period of ineligibility that would otherwise be imposed
 113.7 under subdivision 10 for quitting the first employment;

113.8 (3) the applicant quit the employment within 30 calendar days of beginning the
 113.9 employment because the employment was unsuitable for the applicant;

113.10 (4) the employment was unsuitable for the applicant and the applicant quit to enter
 113.11 reemployment assistance training;

113.12 (5) the employment was part time and the applicant also had full-time employment
 113.13 in the base period, from which full-time employment the applicant separated because of
 113.14 reasons for which the applicant ~~was held is~~ not to be ineligible, and the wage credits from
 113.15 the full-time employment are sufficient to meet the minimum requirements to establish a
 113.16 benefit account under section 268.07;

113.17 (6) the applicant quit because the employer notified the applicant that the applicant
 113.18 was going to be laid off because of lack of work within 30 calendar days. An applicant
 113.19 who quit employment within 30 calendar days of a notified date of layoff because of lack
 113.20 of work is ineligible for unemployment benefits through the end of the week that includes
 113.21 the scheduled date of layoff;

166.1 (6) that the applicant is performing services 32 hours or more, in employment,
 166.2 covered employment, noncovered employment, volunteer work, or self-employment
 166.3 regardless of the amount of any earnings; or

166.4 (7) with respect to which the applicant ~~is receiving, has received, or has filed an~~
 166.5 application for unemployment benefits under any federal law or the law of any other
 166.6 state. If the appropriate agency finally determines that the applicant is not entitled to ~~the~~
 166.7 ~~unemployment benefits~~ establish a benefit account under federal law of the law of any
 166.8 other state, this clause does not apply.

166.9 **EFFECTIVE DATE.** This section is effective August 2, 2015.

166.10 Sec. 18. Minnesota Statutes 2014, section 268.095, subdivision 1, is amended to read:

166.11 Subdivision 1. **Quit.** An applicant who quit employment is ineligible for all
 166.12 unemployment benefits according to subdivision 10 except when:

166.13 (1) the applicant quit the employment because of a good reason caused by the
 166.14 employer as defined in subdivision 3;

166.15 (2) the applicant quit the employment to accept other covered employment that
 166.16 provided ~~substantially~~ equal to or better terms and conditions of employment, but
 166.17 the applicant did not work long enough at the second employment to have sufficient
 166.18 subsequent earnings to satisfy the period of ineligibility that would otherwise be imposed
 166.19 under subdivision 10 for quitting the first employment;

166.20 (3) the applicant quit the employment within 30 calendar days of beginning the
 166.21 employment because the employment was unsuitable for the applicant;

166.22 (4) the employment was unsuitable for the applicant and the applicant quit to enter
 166.23 reemployment assistance training;

166.24 (5) the employment was part time and the applicant also had full-time employment
 166.25 in the base period, from which full-time employment the applicant separated because of
 166.26 reasons for which the applicant ~~was held is~~ not to be ineligible, and the wage credits from
 166.27 the full-time employment are sufficient to meet the minimum requirements to establish a
 166.28 benefit account under section 268.07;

166.29 (6) the applicant quit because the employer notified the applicant that the applicant
 166.30 was going to be laid off because of lack of work within 30 calendar days. An applicant
 166.31 who quit employment within 30 calendar days of a notified date of layoff because of lack
 166.32 of work is ineligible for unemployment benefits through the end of the week that includes
 166.33 the scheduled date of layoff;

113.22 (7) the applicant quit the employment (i) because the applicant's serious illness or
 113.23 injury made it medically necessary that the applicant quit; or (ii) in order to provide
 113.24 necessary care because of the illness, injury, or disability of an immediate family member
 113.25 of the applicant. This exception only applies if the applicant informs the employer of
 113.26 the medical problem and requests accommodation and no reasonable accommodation
 113.27 is made available.

113.28 If the applicant's serious illness is chemical dependency, this exception does not
 113.29 apply if the applicant was previously diagnosed as chemically dependent or had treatment
 113.30 for chemical dependency, and since that diagnosis or treatment has failed to make
 113.31 consistent efforts to control the chemical dependency.

113.32 This exception raises an issue of the applicant's being available for suitable
 113.33 employment under section 268.085, subdivision 1, that the commissioner must determine;

113.34 (8) the applicant's loss of child care for the applicant's minor child caused the
 113.35 applicant to quit the employment, provided the applicant made reasonable effort to obtain
 114.1 other child care and requested time off or other accommodation from the employer and no
 114.2 reasonable accommodation is available.

114.3 This exception raises an issue of the applicant's being available for suitable
 114.4 employment under section 268.085, subdivision 1, that the commissioner must determine;

114.5 (9) the applicant quit because domestic abuse, sexual assault, or stalking of the
 114.6 applicant or an immediate family member of the applicant, necessitated the applicant's
 114.7 quitting the employment.

114.8 For purposes of this subdivision:

114.9 (i) "domestic abuse" has the meaning given in section 518B.01;

114.10 (ii) "sexual assault" means an act that would constitute a violation of sections
 114.11 609.342 to 609.3453 or 609.352; and

114.12 (iii) "stalking" means an act that would constitute a violation of section 609.749; or

114.13 (10) the applicant quit in order to relocate to accompany a spouse whose job location
 114.14 changed making it impractical for the applicant to commute. This exception only applies
 114.15 if the spouse's job is in the military or provides total wages and other compensation that
 114.16 is equal to or better than the applicant's employment. When determining if total wages
 114.17 and compensation are equal to or better than the applicant's employment, differences in
 114.18 cost of living must be considered.

114.19 **EFFECTIVE DATE.** This section is effective August 2, 2015.

114.20 Sec. 12. Minnesota Statutes 2014, section 268.095, subdivision 10, is amended to read:

166.34 (7) the applicant quit the employment (i) because the applicant's serious illness or
 166.35 injury made it medically necessary that the applicant quit; or (ii) in order to provide
 167.1 necessary care because of the illness, injury, or disability of an immediate family member
 167.2 of the applicant. This exception only applies if the applicant informs the employer of
 167.3 the medical problem and requests accommodation and no reasonable accommodation
 167.4 is made available.

167.5 If the applicant's serious illness is chemical dependency, this exception does not
 167.6 apply if the applicant was previously diagnosed as chemically dependent or had treatment
 167.7 for chemical dependency, and since that diagnosis or treatment has failed to make
 167.8 consistent efforts to control the chemical dependency.

167.9 This exception raises an issue of the applicant's being available for suitable
 167.10 employment under section 268.085, subdivision 1, that the commissioner must determine;

167.11 (8) the applicant's loss of child care for the applicant's minor child caused the
 167.12 applicant to quit the employment, provided the applicant made reasonable effort to obtain
 167.13 other child care and requested time off or other accommodation from the employer and no
 167.14 reasonable accommodation is available.

167.15 This exception raises an issue of the applicant's being available for suitable
 167.16 employment under section 268.085, subdivision 1, that the commissioner must determine;

167.17 (9) the applicant quit because domestic abuse, sexual assault, or stalking of the
 167.18 applicant or an immediate family member of the applicant, necessitated the applicant's
 167.19 quitting the employment.

167.20 For purposes of this subdivision:

167.21 (i) "domestic abuse" has the meaning given in section 518B.01;

167.22 (ii) "sexual assault" means an act that would constitute a violation of sections
 167.23 609.342 to 609.3453 or 609.352; and

167.24 (iii) "stalking" means an act that would constitute a violation of section 609.749; or

167.25 (10) the applicant quit in order to relocate to accompany a spouse whose job location
 167.26 changed making it impractical for the applicant to commute. This exception only applies
 167.27 if the spouse's job is in the military or provides total wages and other compensation that is
 167.28 equal to or better than the applicant's employment.

167.29 **EFFECTIVE DATE.** This section is effective August 2, 2015.

167.30 Sec. 19. Minnesota Statutes 2014, section 268.095, subdivision 10, is amended to read:

114.21 Subd. 10. **Ineligibility duration.** (a) Ineligibility from the payment of all
 114.22 unemployment benefits under subdivisions 1 and 4 is for the duration of the applicant's
 114.23 unemployment and until the end of the calendar week that the applicant had total wages
 114.24 paid for actual work performed in subsequent covered employment sufficient to meet
 114.25 one-half of the requirements of section 268.07, subdivision 2, paragraph (a).

114.26 (b) Ineligibility imposed under subdivisions 1 and 4 begins on the Sunday of the
 114.27 week that the applicant became separated from employment.

114.28 (c) In addition to paragraph (a), if the applicant was discharged from employment
 114.29 because of aggravated employment misconduct, wage credits from that employment are
 114.30 canceled and cannot be used for purposes of a benefit account under section 268.07,
 114.31 subdivision 2.

114.32 **EFFECTIVE DATE.** This section is effective August 2, 2015.

114.33 Sec. 13. Minnesota Statutes 2014, section 268.105, subdivision 3, is amended to read:

115.1 Subd. 3. **Withdrawal of an appeal.** (a) ~~Any~~ An appeal that is pending before
 115.2 an unemployment law judge may be withdrawn by the appealing ~~person~~ party, or an
 115.3 authorized representative of that ~~person~~ party, ~~upon~~ by filing of a notice of withdrawal. A
 115.4 notice of withdrawal may be filed by mail or by electronic transmission.

115.5 (b) The appeal must, by order, be dismissed if a notice of withdrawal is filed, unless
 115.6 an unemployment law judge directs that further ~~adjudication is~~ proceedings are required
 115.7 for a proper result. An order of dismissal issued as a result of a notice of withdrawal is
 115.8 not subject to reconsideration or appeal.

115.9 (c) ~~A notice of withdrawal may be filed by mail or by electronic transmission.~~ A
 115.10 party may file a new appeal after the order of dismissal, but the original 20-calendar-day
 115.11 period for appeal begins from the date of issuance of the determination and that time
 115.12 period is not suspended or restarted by the notice of withdrawal and order of dismissal.
 115.13 The new appeal may only be filed by mail or facsimile transmission.

115.14 (d) For purposes of this subdivision, "appeals" includes a request for reconsideration
 115.15 filed under subdivision 2.

115.16 **EFFECTIVE DATE.** This section is effective August 2, 2015.

115.17 Sec. 14. Minnesota Statutes 2014, section 268.105, subdivision 7, is amended to read:

167.31 Subd. 10. **Ineligibility duration.** (a) Ineligibility from the payment of all
 167.32 unemployment benefits under subdivisions 1 and 4 is for the duration of the applicant's
 167.33 unemployment and until the end of the calendar week that the applicant had total wages
 167.34 paid for actual work performed in subsequent covered employment sufficient to meet
 167.35 one-half of the requirements of section 268.07, subdivision 2, paragraph (a).

168.1 (b) Ineligibility imposed under subdivisions 1 and 4 begins on the Sunday of the
 168.2 week that the applicant became separated from employment.

168.3 (c) In addition to paragraph (a), if the applicant was discharged from employment
 168.4 because of aggravated employment misconduct, wage credits from that employment are
 168.5 canceled and cannot be used for purposes of a benefit account under section 268.07,
 168.6 subdivision 2.

168.7 **EFFECTIVE DATE.** This section is effective August 2, 2015.

168.8 Sec. 20. Minnesota Statutes 2014, section 268.105, subdivision 3, is amended to read:

168.9 Subd. 3. **Withdrawal of an appeal.** (a) ~~Any~~ An appeal that is pending before
 168.10 an unemployment law judge may be withdrawn by the appealing ~~person~~ party, or an
 168.11 authorized representative of that ~~person~~ party, ~~upon~~ by filing of a notice of withdrawal. A
 168.12 notice of withdrawal may be filed by mail or by electronic transmission.

168.13 (b) The appeal must, by order, be dismissed if a notice of withdrawal is filed, unless
 168.14 an unemployment law judge directs that further ~~adjudication is~~ proceedings are required
 168.15 for a proper result. An order of dismissal issued as a result of a notice of withdrawal is
 168.16 not subject to reconsideration or appeal.

168.17 (c) ~~A notice of withdrawal may be filed by mail or by electronic transmission.~~ A
 168.18 party may file a new appeal after the order of dismissal, but the original 20-calendar-day
 168.19 period for appeal begins from the date of issuance of the determination and that time
 168.20 period is not suspended or restarted by the notice of withdrawal and order of dismissal.
 168.21 The new appeal may only be filed by mail or facsimile transmission.

168.22 (d) For purposes of this subdivision, "appeals" includes a request for reconsideration
 168.23 filed under subdivision 2.

168.24 **EFFECTIVE DATE.** This section is effective August 2, 2015.

168.25 Sec. 21. Minnesota Statutes 2014, section 268.105, subdivision 7, is amended to read:

115.18 Subd. 7. **Judicial review.** (a) The Minnesota Court of Appeals must, by writ
 115.19 of certiorari to the department, review the unemployment law judge's decision on
 115.20 reconsideration, provided a petition for the writ is filed with the court and a copy is served
 115.21 upon the unemployment law judge or the commissioner and any other party within 30
 115.22 calendar days of the sending of the unemployment law judge's decision on reconsideration
 115.23 under subdivision 2. Three days are added to the 30-calendar-day period if the decision on
 115.24 reconsideration was mailed to the parties.

115.25 (b) Any employer petitioning for a writ of certiorari must pay to the court the
 115.26 required filing fee in accordance with the Rules of Civil Appellate Procedure. If the
 115.27 employer requests a written transcript of the testimony received at the hearing conducted
 115.28 under subdivision 1, the employer must pay to the department the cost of preparing the
 115.29 transcript. That money is credited to the administration account.

115.30 (c) Upon issuance by the Minnesota Court of Appeals of a writ of certiorari as a
 115.31 result of an applicant's petition, the department must furnish to the applicant at no cost a
 115.32 written transcript of any testimony received at the hearing conducted under subdivision 1,
 115.33 and, if requested, a copy of all exhibits entered into evidence. No filing fee or cost bond is
 115.34 required of an applicant petitioning the Minnesota Court of Appeals for a writ of certiorari.

116.1 (d) The Minnesota Court of Appeals may affirm the decision of the unemployment
 116.2 law judge or remand the case for further proceedings; or it may reverse or modify the
 116.3 decision if the substantial rights of the petitioner may have been prejudiced because the
 116.4 findings, inferences, conclusion, or decision are:

116.5 (1) in violation of constitutional provisions;

116.6 (2) in excess of the statutory authority or jurisdiction of the department;

116.7 (3) made upon unlawful procedure;

116.8 (4) affected by other error of law;

116.9 (5) unsupported by substantial evidence in view of the entire record as submitted; or

116.10 (6) arbitrary or capricious.

116.11 (e) The department is considered the primary responding party to any judicial action
 116.12 involving an unemployment law judge's decision. The department may be represented by
 116.13 an attorney licensed to practice law in Minnesota who is an employee of the department.

116.14 **EFFECTIVE DATE.** This section is effective August 2, 2015.

116.15 Sec. 15. Minnesota Statutes 2014, section 268.136, subdivision 1, is amended to read:

168.26 Subd. 7. **Judicial review.** (a) The Minnesota Court of Appeals must, by writ
 168.27 of certiorari to the department, review the unemployment law judge's decision on
 168.28 reconsideration, provided a petition for the writ is filed with the court and a copy is served
 168.29 upon the unemployment law judge or the commissioner and any other party within 30
 168.30 calendar days of the sending of the unemployment law judge's decision on reconsideration
 168.31 under subdivision 2. Three days are added to the 30-calendar-day period if the decision on
 168.32 reconsideration was mailed to the parties.

169.1 (b) Any employer petitioning for a writ of certiorari must pay to the court the
 169.2 required filing fee in accordance with the Rules of Civil Appellate Procedure. If the
 169.3 employer requests a written transcript of the testimony received at the hearing conducted
 169.4 under subdivision 1, the employer must pay to the department the cost of preparing the
 169.5 transcript. That money is credited to the administration account.

169.6 (c) Upon issuance by the Minnesota Court of Appeals of a writ of certiorari as a
 169.7 result of an applicant's petition, the department must furnish to the applicant at no cost a
 169.8 written transcript of any testimony received at the hearing conducted under subdivision 1,
 169.9 and, if requested, a copy of all exhibits entered into evidence. No filing fee or cost bond is
 169.10 required of an applicant petitioning the Minnesota Court of Appeals for a writ of certiorari.

169.11 (d) The Minnesota Court of Appeals may affirm the decision of the unemployment
 169.12 law judge or remand the case for further proceedings; or it may reverse or modify the
 169.13 decision if the substantial rights of the petitioner may have been prejudiced because the
 169.14 findings, inferences, conclusion, or decision are:

169.15 (1) in violation of constitutional provisions;

169.16 (2) in excess of the statutory authority or jurisdiction of the department;

169.17 (3) made upon unlawful procedure;

169.18 (4) affected by other error of law;

169.19 (5) unsupported by substantial evidence in view of the entire record as submitted; or

169.20 (6) arbitrary or capricious.

169.21 (e) The department is considered the primary responding party to any judicial action
 169.22 involving an unemployment law judge's decision. The department may be represented by
 169.23 an attorney licensed to practice law in Minnesota who is an employee of the department.

169.24 **EFFECTIVE DATE.** This section is effective August 2, 2015.

169.25 Sec. 22. Minnesota Statutes 2014, section 268.136, subdivision 1, is amended to read:

116.16 Subdivision 1. **Shared work plan requirements.** An employer may submit a
 116.17 proposed shared work plan for an employee group to the commissioner for approval in a
 116.18 manner and format set by the commissioner. The proposed shared work plan must include:

116.19 (1) a certified statement that the normal weekly hours of work of all of the proposed
 116.20 participating employees were full time or regular part time but are now reduced, or will be
 116.21 reduced, with a corresponding reduction in pay, in order to prevent layoffs;

116.22 (2) the name and Social Security number of each participating employee;

116.23 (3) the number of layoffs that would have occurred absent the employer's ability to
 116.24 participate in a shared work plan;

116.25 (4) a certified statement that each participating employee was first hired by the
 116.26 employer at least one year before the proposed shared work plan is submitted and is not a
 116.27 seasonal, temporary, or intermittent worker;

116.28 (5) the hours of work each participating employee will work each week for the
 116.29 duration of the shared work plan, which must be at least 50 percent of the normal weekly
 116.30 hours but no more than ~~90~~ 80 percent of the normal weekly hours, except that the plan
 116.31 may provide for a uniform vacation shutdown of up to two weeks;

116.32 (6) a certified statement that any health benefits and pension benefits provided by
 116.33 the employer to participating employees will continue to be provided under the same
 116.34 terms and conditions as though the participating employees' hours of work each week had
 116.35 not been reduced;

117.1 (7) a certified statement that the terms and implementation of the shared work plan is
 117.2 consistent with the employer's obligations under state and federal law;

117.3 (8) an acknowledgement that the employer understands that unemployment benefits
 117.4 paid under a shared work plan will be used in computing the future tax rate of a taxpaying
 117.5 employer or charged to the reimbursable account of a nonprofit or government employer;

117.6 (9) the proposed duration of the shared work plan, which must be at least two months
 117.7 and not more than one year, although a plan may be extended for up to an additional
 117.8 year upon approval of the commissioner;

117.9 (10) a starting date beginning on a Sunday at least 15 calendar days after the date the
 117.10 proposed shared work plan is submitted; and

117.11 (11) a signature of an owner or officer of the employer who is listed as an owner or
 117.12 officer on the employer's account under section 268.045.

117.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

117.14 Sec. 16. Minnesota Statutes 2014, section 268.194, subdivision 1, is amended to read:

169.26 Subdivision 1. **Shared work plan requirements.** An employer may submit a
 169.27 proposed shared work plan for an employee group to the commissioner for approval in a
 169.28 manner and format set by the commissioner. The proposed shared work plan must include:

169.29 (1) a certified statement that the normal weekly hours of work of all of the proposed
 169.30 participating employees were full time or regular part time but are now reduced, or will be
 169.31 reduced, with a corresponding reduction in pay, in order to prevent layoffs;

169.32 (2) the name and Social Security number of each participating employee;

169.33 (3) the number of layoffs that would have occurred absent the employer's ability to
 169.34 participate in a shared work plan;

170.1 (4) a certified statement that each participating employee was first hired by the
 170.2 employer at least one year before the proposed shared work plan is submitted and is not a
 170.3 seasonal, temporary, or intermittent worker;

170.4 (5) the hours of work each participating employee will work each week for the
 170.5 duration of the shared work plan, which must be at least 50 percent of the normal weekly
 170.6 hours but no more than ~~90~~ 80 percent of the normal weekly hours, except that the plan
 170.7 may provide for a uniform vacation shutdown of up to two weeks;

170.8 (6) a certified statement that any health benefits and pension benefits provided by
 170.9 the employer to participating employees will continue to be provided under the same
 170.10 terms and conditions as though the participating employees' hours of work each week had
 170.11 not been reduced;

170.12 (7) a certified statement that the terms and implementation of the shared work plan is
 170.13 consistent with the employer's obligations under state and federal law;

170.14 (8) an acknowledgement that the employer understands that unemployment benefits
 170.15 paid under a shared work plan will be used in computing the future tax rate of a taxpaying
 170.16 employer or charged to the reimbursable account of a nonprofit or government employer;

170.17 (9) the proposed duration of the shared work plan, which must be at least two months
 170.18 and not more than one year, although a plan may be extended for up to an additional
 170.19 year upon approval of the commissioner;

170.20 (10) a starting date beginning on a Sunday at least 15 calendar days after the date the
 170.21 proposed shared work plan is submitted; and

170.22 (11) a signature of an owner or officer of the employer who is listed as an owner or
 170.23 officer on the employer's account under section 268.045.

170.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

170.25 Sec. 23. Minnesota Statutes 2014, section 268.194, subdivision 1, is amended to read:

117.15 Subdivision 1. **Establishment.** There is established as a special state trust fund,
 117.16 separate and apart from all other public money or funds of this state, an unemployment
 117.17 insurance trust fund, that is administered by the commissioner exclusively for the payment
 117.18 of unemployment benefits. This trust fund consists of:

117.19 (1) all taxes collected;

117.20 (2) interest earned upon any money in the trust fund;

117.21 (3) reimbursements paid by nonprofit organizations and the state and political
 117.22 subdivisions;

117.23 (4) tax rate buydown payments under section 268.051, subdivision 7;

117.24 (5) any money received as a loan from the federal unemployment trust fund in
 117.25 accordance with United States Code, title 42, section 1321, of the Social Security Act;

117.26 (6) any other money received under a reciprocal unemployment benefit arrangement
 117.27 with the federal government or any other state;

117.28 (7) money recovered on overpaid unemployment benefits ~~except, if allowed by~~
 117.29 ~~federal law, five percent of any recovered amount is credited to the administration account;~~

117.30 (8) all money credited to the account under this chapter;

117.31 (9) all money credited to the account of Minnesota in the federal unemployment
 117.32 trust fund under United States Code, title 42, section 1103, of the Social Security Act,
 117.33 also known as the Reed Act; and

117.34 (10) all money received for the trust fund from any other source.

118.1 **EFFECTIVE DATE.** This section is effective August 2, 2015.

118.2 Sec. 17. **ADDITIONAL UNEMPLOYMENT INSURANCE TAX REDUCTION.**

118.3 Notwithstanding any other law, on December 31, 2015, future unemployment taxes
 118.4 payable must be reduced by \$200,000,000 in addition to any reduction under section
 118.5 268.051, subdivision 2a. This tax reduction must be distributed among employers using
 118.6 the same method as prescribed for tax reductions under section 268.051, subdivision 2a.

118.7 Sec. 18. **SPECIAL UNEMPLOYMENT BENEFIT ASSISTANCE.**

118.8 Notwithstanding Minnesota Statutes, sections 268.085, subdivision 3, paragraph (a),
 118.9 and 268.035, subdivision 29, paragraph (a), clause (13), applicants laid off due to lack of
 118.10 work from a facility engaged directly in the extraction or processing of iron ore in Itasca
 118.11 County, St. Louis County, or Lake County between March 1, 2015, and December 31,
 118.12 2015, must not be ineligible for unemployment benefits because of:

170.26 Subdivision 1. **Establishment.** There is established as a special state trust fund,
 170.27 separate and apart from all other public money or funds of this state, an unemployment
 170.28 insurance trust fund, that is administered by the commissioner exclusively for the payment
 170.29 of unemployment benefits. This trust fund consists of:

170.30 (1) all taxes collected;

170.31 (2) interest earned upon any money in the trust fund;

170.32 (3) reimbursements paid by nonprofit organizations and the state and political
 170.33 subdivisions;

170.34 (4) tax rate buydown payments under section 268.051, subdivision 7;

171.1 (5) any money received as a loan from the federal unemployment trust fund in
 171.2 accordance with United States Code, title 42, section 1321, of the Social Security Act;

171.3 (6) any other money received under a reciprocal unemployment benefit arrangement
 171.4 with the federal government or any other state;

171.5 (7) money recovered on overpaid unemployment benefits ~~except, if allowed by~~
 171.6 ~~federal law, five percent of any recovered amount is credited to the administration account;~~

171.7 (8) all money credited to the account under this chapter;

171.8 (9) all money credited to the account of Minnesota in the federal unemployment
 171.9 trust fund under United States Code, title 42, section 1103, of the Social Security Act,
 171.10 also known as the Reed Act; and

171.11 (10) all money received for the trust fund from any other source.

171.12 **EFFECTIVE DATE.** This section is effective August 2, 2015.

172.20 Sec. 28. **SPECIAL UNEMPLOYMENT BENEFIT ASSISTANCE.**

172.21 Notwithstanding Minnesota Statutes, sections 268.085, subdivision 3, paragraph (a),
 172.22 and 268.035, subdivision 29, paragraph (a), clause (13), applicants laid off due to lack of
 172.23 work from a facility engaged directly in the extraction or processing of iron ore in Itasca
 172.24 County, St. Louis County, or Lake County, between March 1, 2015, and December 31,
 172.25 2015, will not be ineligible for unemployment benefits because of:

118.13 (1) the receipt of vacation pay from the employer engaged in the extraction or
118.14 processing of iron ore; or

118.15 (2) the receipt of supplemental unemployment benefits from the employer engaged
118.16 in the extraction or processing of iron ore.

118.17 **EFFECTIVE DATE.** This section is effective the day following final enactment
118.18 and is retroactive to March 1, 2015. This section expires December 31, 2016.

172.26 (1) the receipt of vacation pay from the employer engaged in the extraction or
172.27 processing of iron ore; or

172.28 (2) the receipt of supplemental unemployment benefits from the employer engaged
172.29 in the extraction or processing of iron ore.

172.30 **EFFECTIVE DATE.** This section is effective the day following final enactment and
172.31 is effective retroactively from March 1, 2015. This section expires December 31, 2016.