

ASSEMBLY, No. 1362

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman STUHLTRAGER

1 AN ACT concerning records of disputed unemployment compensation
2 benefit claims and amending R.S.43:21-6 and R.S.43:21-11.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. R.S.43:21-6 is amended to read as follows:
8 43:21-6. Claim for benefits.

9 (a) Filing. Claims for benefits shall be made in accordance with
10 such regulations as the Director of the Division of Unemployment and
11 Temporary Disability Insurance of the Department of Labor of the
12 State of New Jersey may approve. Each employer shall post and
13 maintain on his premises printed notices of his subject status, of such
14 design, in such numbers and at such places as the director of the
15 division may determine to be necessary to give notice thereof to
16 persons in the employer's service. Each employer shall give to each
17 individual at the time he becomes unemployed a printed copy of
18 benefit instructions. Both the aforesaid notices and instructions shall
19 be supplied by the division to employers without cost to them.

20 (b)(1) Procedure for making initial determinations with respect to
21 benefit years commencing on or after January 1, 1953.

22 A representative or representatives designated by the director of the
23 division and hereafter referred to as a "deputy" shall promptly examine
24 the claim, and shall notify the most recent employing unit and,
25 successively as necessary, each employer in inverse chronological
26 order during the base year. Such notification shall require said
27 employing unit and employer to furnish such information to the deputy
28 as may be necessary to determine the claimant's eligibility and his
29 benefit rights with respect to the employer in question.

30 In his discretion, the director may appoint special deputies to make
31 initial or subsequent determinations under [subsections 4(f) and 5(d)]

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 of this chapter] subsection (f) of R.S.43:21-4 and subsection (d) of
2 R.S.43:21-5.

3 If any employer or employing unit fails to respond to the request for
4 information within 10 days after the mailing of such request, the
5 deputy shall rely entirely on information from other sources, including
6 an affidavit to the best of the knowledge and belief of the claimant
7 with respect to his wages and time worked. Except in the event of
8 fraud, if it is determined that any information in such affidavit is
9 erroneous, no penalty shall be imposed on the claimant.

10 The deputy shall promptly make an initial determination based upon
11 the available information. The initial determination shall show the
12 weekly benefit amount payable, the maximum duration of benefits with
13 respect to the employer to whom the determination relates, and the
14 ratio of benefits chargeable to the employer's account for benefit years
15 commencing on or after July 1, 1986, and also shall show whether the
16 claimant is ineligible or disqualified for benefits under the initial
17 determination. The claimant and the employer whose account may be
18 charged for benefits payable pursuant to said determination shall be
19 promptly notified thereof.

20 Whenever an initial determination is based upon information other
21 than that supplied by an employer because such employer failed to
22 respond to the deputy's request for information, such initial
23 determination and any subsequent determination thereunder shall be
24 incontestable by the noncomplying employer, as to any charges to his
25 employer's account because of benefits paid prior to the close of the
26 calendar week following the receipt of his reply. Such initial
27 determination shall be altered if necessary upon receipt of information
28 from the employer, and any benefits paid or payable with respect to
29 weeks occurring subsequent to the close of the calendar week
30 following the receipt of the employer's reply shall be paid in
31 accordance with such altered initial determination.

32 The deputy shall issue a separate initial benefit determination with
33 respect to each of the claimant's base year employers, starting with the
34 most recent employer and continuing as necessary in the inverse
35 chronological order of the claimant's last date of employment with
36 each such employer. If an appeal is taken from an initial
37 determination, as hereinafter provided, by any employer other than the
38 first chargeable base year employer or for benefit years commencing
39 on or after July 1, 1986, that employer from whom the individual was
40 most recently separated, then such appeal shall be limited in scope to
41 include only one or more of the following matters:

42 (A) The correctness of the benefit payments authorized to be made
43 under the determination;

44 (B) Fraud in connection with the claim pursuant to which the initial
45 determination is issued; or

46 (C) The refusal of suitable work offered by the chargeable

1 employer filing the appeal;

2 (D) Gross misconduct as provided in subsection (b) of
3 R.S.43:21-5.

4 The amount of benefits payable under an initial determination may
5 be reduced or canceled if necessary to avoid payment of benefits for
6 a number of weeks in excess of the maximum specified in subsection
7 (d) of [section] R.S.43:21-3 [of this Title].

8 Unless the claimant or any interested party, within seven calendar
9 days after delivery of notification of an initial determination or within
10 10 calendar days after such notification was mailed to his or their
11 last-known address and addresses, files an appeal from such decision,
12 such decision shall be final and benefits shall be paid or denied in
13 accordance therewith, except for such determinations as may be
14 altered in benefit amounts or duration as provided in this paragraph.
15 Benefits payable for periods pending an appeal and not in dispute shall
16 be paid as such benefits accrue; provided that insofar as any such
17 appeal is or may be an appeal from a determination to the effect that
18 the claimant is disqualified under the provisions of R.S.43:21-5 or any
19 amendments thereof or supplements thereto, benefits pending
20 determination of the appeal shall be withheld only for the period of
21 disqualification as provided for in said section, and notwithstanding
22 such appeal, the benefits otherwise provided by this act shall be paid
23 for the period subsequent to such period of disqualification; and
24 provided, also, that if there are two determinations of entitlement,
25 benefits for the period covered by such determinations shall be paid
26 regardless of any appeal which may thereafter be taken, but no
27 employer's account shall be charged with benefits so paid, if the
28 decision is finally reversed.

29 (2) Procedure for making initial determinations in certain cases of
30 concurrent employment, with respect to benefit years commencing on
31 or after January 1, 1953 and prior to benefit years commencing on or
32 after July 1, 1986.

33 Notwithstanding any other provisions of [this Title] the
34 "unemployment compensation law," R.S.43:21-1 et seq., if an
35 individual shows to the satisfaction of the deputy that there were at
36 least 13 weeks in his base period in each of which he earned wages
37 from two or more employers totaling \$30.00 or more but in each of
38 which there was no single employer from whom he earned as much as
39 \$100.00, then such individual's claim shall be determined in accordance
40 with the special provisions of this paragraph. In such case, the deputy
41 shall determine the individual's eligibility for benefits, his average
42 weekly wage, weekly benefit rate and maximum total benefits as if all
43 his base year employers were a single employer. Such determination
44 shall apportion the liability for benefit charges thereunder to the
45 individual's several base year employers so that each employer's
46 maximum liability for charges thereunder bears approximately the same

1 relation to the maximum total benefits allowed as the wages earned by
2 the individual from each employer during the base year bears to his
3 total wages earned from all employers during the base year. Such
4 initial determination shall also specify the individual's last date of
5 employment within the base year with respect to each base year
6 employer, and such employers shall be charged for benefits paid under
7 said initial determination in the inverse chronological order of such last
8 date of employment.

9 (3) Procedure for making subsequent determinations with respect
10 to benefit years commencing on or after January 1, 1953. The deputy
11 shall make determinations with respect to claims for benefits thereafter
12 in the course of the benefit year, in accordance with any initial
13 determination allowing benefits, and under which benefits have not
14 been exhausted, and each notification of a benefit payment shall be a
15 notification of an affirmative subsequent determination. The
16 allowance of benefits by the deputy on any such determination, or the
17 denial of benefits by the deputy on any such determination, shall be
18 appealable in the same manner and under the same limitations as is
19 provided in the case of initial determinations.

20 (c) Appeals. Unless such appeal is withdrawn, an appeal tribunal,
21 after affording the parties reasonable opportunity for fair hearing, shall
22 affirm or modify the findings of fact and the determination. The
23 parties shall be duly notified of such tribunal's decision, together with
24 its reasons therefor, which shall be deemed to be the final decision of
25 the board of review, unless within 10 days after the date of notification
26 or mailing of such decision, further appeal is initiated pursuant to
27 subsection (e) of this section.

28 (d) Appeal tribunals. To hear and decide disputed benefit claims,
29 including appeals from determinations with respect to demands for
30 refunds of benefits under [section 43:21-16(d) of this chapter
31 (R.S.43:21-1 et seq.)]subsection (d) of R.S.43:21-16, the director with
32 the approval of the Commissioner of Labor shall establish impartial
33 appeal tribunals consisting of a salaried body of examiners under the
34 supervision of a Chief Appeals Examiner, all of whom shall be
35 appointed pursuant to the provisions of Title [11 of the Revised
36 Statutes] 11A, Civil Service of the New Jersey Statutes and other
37 applicable statutes.

38 (e) Board of review. The board of review may on its own motion
39 affirm, modify, or set aside any decision of an appeal tribunal on the
40 basis of the evidence previously submitted in such case, or direct the
41 taking of additional evidence, or may permit any of the parties to such
42 decision to initiate further appeals before it. The board of review shall
43 permit such further appeal by any of the parties interested in a decision
44 of an appeal tribunal which is not unanimous and from any
45 determination which has been overruled or modified by any appeal
46 tribunal. The board of review may remove to itself or transfer to

1 another appeal tribunal the proceedings on any claim pending before
2 an appeal tribunal. Any proceedings so removed to the board of
3 review shall be heard by a quorum thereof in accordance with the
4 requirements of subsection (c) of this section. The board of review
5 shall promptly notify the interested parties of its findings and decision.

6 (f) Procedure. The manner in which disputed benefit claims, and
7 appeals from determinations with respect to (1) claims for benefits and
8 (2) demands for refunds of benefits under [section R.S.43:21-16(d) of
9 this chapter (R.S.43:21-1 et seq.)] subsection (d) of R.S.43:21-16 shall
10 be presented, the reports thereon required from the claimant and from
11 employers, and the conduct of hearings and appeals shall be in
12 accordance with rules prescribed by the board of review for
13 determining the rights of the parties, whether or not such rules
14 conform to common law or statutory rules of evidence and other
15 technical rules of procedure. A full and complete record shall be kept
16 of all proceedings in connection with a disputed claim. All records,
17 reports, hearing tapes and transcripts concerning a disputed claim shall
18 be preserved or released by the Division of Unemployment and
19 Temporary Disability Insurance in accordance with the provisions of
20 paragraph (3) of subsection (g) of R.S.43:21-11. All testimony at any
21 hearing upon a disputed claim shall be recorded, but need not be
22 transcribed unless the disputed claim is further appealed.

23 (g) Witness fees. Witnesses [subpenaed] subpoenaed pursuant to
24 this section shall be allowed fees at a rate fixed by the director. Such
25 fees and all expenses of proceedings involving disputed claims shall be
26 deemed a part of the expense of administering [this chapter] the
27 "unemployment compensation law," (R.S.43:21-1 et seq.).

28 (h) Court review . Any decision of the board of review shall
29 become final as to any party upon the mailing of a copy thereof to such
30 party or to his attorney, or upon the mailing of a copy thereof to such
31 party at his last-known address. The Division of Unemployment and
32 Temporary Disability Insurance and any party to a proceeding before
33 the board of review may secure judicial review of the final decision of
34 the board of review. Any party not joining in the appeal shall be made
35 a defendant; the board of review shall be deemed to be a party to any
36 judicial action involving the review of, or appeal from, any of its
37 decisions, and may be represented in any such judicial action by any
38 qualified attorney, who may be a regular salaried employee of the
39 board of review or has been designated by it for that purpose, or, at
40 the board of review's request, by the Attorney General.

41 (i) Failure to give notice. The failure of any public officer or
42 employee at any time heretofore or hereafter to give notice of
43 determination or decision required in subsections (b), (c) and (e) of
44 this section, as originally passed or amended, shall not relieve any
45 employer's account of any charge by reason of any benefits paid,
46 unless and until that employer can show to the satisfaction of the

1 director of the division that the said benefits, in whole or in part,
2 would not have been charged or chargeable to his account had such
3 notice been given. Any determination hereunder by the director shall
4 be subject to court review.

5 (cf: P.L.1984, c.24, s.4)

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7 2. R.S.43:21-11 is amended to read as follows:

8 43:21-11. (a) Duties and powers of the Department of Labor. The
9 department shall have power and authority to adopt, amend, or rescind
10 such rules and regulations, require such reports, make such
11 investigations, and take such other action as it deems necessary or
12 suitable or to administer this chapter; provided that the Commissioner
13 of Labor may delegate such power and authority, subject to his
14 ultimate supervision and control. Such rules and regulations shall be
15 effective upon publication in the manner, not inconsistent with the
16 provisions of this chapter, which the department shall prescribe. The
17 department shall determine its own organization and methods of
18 procedure, in accordance with the provisions of this chapter.
19 Whenever the department believes that a change in contribution or
20 benefit rates will become necessary to protect the solvency of the fund,
21 it shall promptly so inform the Governor and the Legislature, and
22 make recommendations with respect thereto.

23 (b) Regulations and general and special rules. General and special
24 rules may be adopted, amended, or rescinded by the department.
25 General rules shall become effective 10 days after filing with the
26 Secretary of State and publication in one or more newspapers of
27 general circulation in this State. Special rules shall become effective
28 10 days after notification to or mailing to the last known address of
29 the individuals or concerns affected thereby. Regulations may be
30 adopted, amended, or rescinded by the department and shall become
31 effective in the manner and at the time prescribed by the department.

32 (c) Publication. The department shall cause to be printed for
33 distribution to the public the text of this chapter, the department's
34 regulations and general rules, its annual reports to the Governor, and
35 any other material the department deems relevant and suitable and
36 shall furnish the same to any person upon application therefor.

37 (d) Personnel. Subject to other provisions of this chapter, the
38 department is authorized to appoint (subject to the provisions of Title
39 [11] 11A, Civil Service, of the New Jersey Statutes), fix the
40 compensation, and prescribe the duties and powers of such officers,
41 accountants, attorneys, experts, and other persons as may be necessary
42 in the performance of its duties under R.S.43:21-1 et seq. All
43 positions shall be filled by persons selected and appointed on a
44 nonpartisan merit basis from lists of eligible persons prepared by the
45 Civil Service Commission, in accordance with the provisions of Title
46 [11] 11A, Civil Service, of the New Jersey Statutes, except that any

1 attorney, now or hereafter in office or position of legal assistant for
2 the department, shall be placed in the exempt class of the civil service
3 and thereafter shall not be subject to removal except for cause and
4 then only in accordance with the provisions of Title [11] 11A, Civil
5 Service , of the New Jersey Statutes; provided, however, that nothing
6 herein shall be construed to apply to any attorney designated as special
7 counsel in accordance with the provisions of [sections
8 43:21-6,]subsection (h) of R.S.43:21-6[,]and R.S.43:21-17. The
9 division shall not employ or pay any person who is an officer or
10 committee member of any political party organization. The
11 commissioner may delegate to any such person so appointed such
12 power and authority as he deems reasonable and proper for the
13 effective administration of this chapter, and may in his discretion bond
14 any person handling moneys or signing checks hereunder.

15 (e) Employment Security Council. There shall be within the
16 department an Employment Security Council, as established and
17 constituted under the Department of Labor and Industry Act of 1948
18 (P.L.1948, c.446; C.34:1A-1 et seq.).

19 (f) Employment stabilization. The department, with the advice and
20 aid of the Employment Security Council, shall take all appropriate
21 steps to reduce and prevent unemployment; to encourage and assist in
22 the adoption of practical methods of vocational training, retraining and
23 vocational guidance; to investigate, recommend, advise, and assist in
24 the establishment and operation, by municipalities, counties, school
25 districts, and the State, of reserves for public works to be used in
26 times of business depression and unemployment; to promote the
27 re-employment of unemployed workers throughout the State in every
28 other way that may be feasible, and to these ends to carry on and
29 publish the records of investigations and research studies.

30 (g) Records and reports. (1) Each employing unit shall keep true
31 and accurate employment records, containing such information as may
32 be prescribed. Such records shall be open to inspection and be subject
33 to being copied by the director of the division and the controller or
34 their authorized representatives at any reasonable time. The
35 department may require from any employing unit any sworn or
36 unsworn reports, with respect to persons employed by it, which are
37 deemed necessary for the effective administration of this chapter.
38 Under such rules and regulations as may be adopted by the
39 department, reports relative to wages and separation from employment
40 may be required from any employer or employing unit at the time such
41 employer or employing unit suspends business operations in this State,
42 or from any employer or employing unit which fails to cooperate in
43 submitting promptly the wage and employment data which may be
44 required under paragraph (2) of subsection (b) of [section]
45 R.S.43:21-6 [of this Title]. If the nature of such suspension is
46 temporary or in the nature of a transfer, then the employer or

1 employing unit may be excused from furnishing such a termination
2 report upon assurances that proper arrangements have been made to
3 supply any information which may be required under paragraph (2) of
4 subsection (b) of [section] R.S.43:21-6 [of this Title]. The
5 department may require from any employer or employing unit reports
6 relative to wages and separation in such manner and at such time as
7 may be necessary for the effective administration of this chapter.

8 (2) All records, reports and other information obtained from
9 employers and employees under [this chapter] the provisions of the
10 "unemployment compensation law" (R.S.43:21-1 et seq.), except to
11 the extent necessary for the proper administration of [this chapter]
12 R.S.43:21-1 et seq., shall be confidential and shall not be published or
13 open to public inspection other than to public employees in the
14 performance of their public duties[, and shall not be subject to subpoena
15 or admissible in evidence in any civil action or proceeding other than
16 one arising under this chapter], but any claimant at a hearing before an
17 appeal tribunal, the division or the board of review shall be supplied
18 with information from such records to the extent necessary for the
19 proper presentation of his claim.

20 (3) All records, reports, hearing tapes and transcripts concerning
21 a disputed claim considered by the division pursuant to the provisions
22 of the "unemployment compensation law" (R.S.43:21-1 et seq.), an
23 appeal tribunal pursuant to subsection (d) of R.S.43:21-6, or the board
24 of review pursuant to subsection (e) of R.S.43:21-6, shall be preserved
25 by the Division of Unemployment and Temporary Disability Insurance
26 for a period of two years after the completion of the final appeal
27 hearing.

28 If the interested party seeks to admit any record, report, hearing
29 tape or transcript into evidence in any civil action or proceeding, the
30 division shall provide the requested material within 30 days of the
31 receipt of the written request by the interested party.

32 At the end of the two-year period following the completion of the
33 final appeal hearing, the division may destroy all records, reports,
34 hearing tapes or transcripts concerning the respective disputed claim.
35 The division shall give notice to the interested parties 30 days prior to
36 the destruction of all records, reports, hearing tapes or transcripts and
37 shall supply an interested party, upon its written request at that time,
38 with a copy of any record, report, hearing tape or transcript.

39 An interested party requesting records, reports, hearing tapes or
40 transcripts pursuant to this paragraph (3) may be assessed with the
41 actual costs of reproducing a copy of the records, reports, hearing
42 tapes or transcripts which were requested.

43 (4) Any officer or employee of the department who violates any
44 provision of this section shall be liable to a fine of \$200.00, to be
45 recovered in a civil action in the name of the division, said fine when
46 recovered to be paid to the unemployment compensation auxiliary fund

1 for the use of said fund.

2 (h) Oaths and witnesses. In the discharge of the duties imposed by
3 this chapter, the controller, the appeal tribunal and any duly authorized
4 representative or member of the division, the director or any deputy
5 director thereof or member of the board of review shall have power to
6 administer oaths and affirmations, take depositions, certify to official
7 acts, and issue [subpenas] subpoenas to compel the attendance of
8 witnesses and the production of books, papers, correspondence,
9 memoranda and other records deemed necessary as evidence in
10 connection with a disputed claim or the administration of this chapter.
11 Witnesses [subpenaed] subpoenaed pursuant to this section shall in the
12 discretion of the department be allowed fees at a rate to be fixed by it.
13 Such fees shall be deemed a part of the expense of administering this
14 chapter.

15 (i) [Subpenas] Subpoenas. In case of contumacy by or refusal to
16 obey a [subpena] subpoena issued to any person, any court of this
17 State within the jurisdiction of which the inquiry is carried on or within
18 the jurisdiction of which said person guilty of contumacy or refusal to
19 obey is found or resides or transacts business, upon application by the
20 department or its duly authorized representative, or the board of
21 review, shall have jurisdiction to issue to such person an order
22 requiring such person to appear before the board of review or a
23 member thereof, the department or its duly authorized representative,
24 there to produce evidence if so ordered or there to give testimony
25 touching the matter under investigation or in question; and any failure
26 to obey such order of the court may be punished by said court as a
27 contempt thereof. Any person who shall without just cause fail or
28 refuse to attend and testify or to answer any lawful inquiry or to
29 produce books, papers, correspondence, memoranda, and other
30 records, if it is in his power so to do, in obedience to a [subpena]
31 subpoena of the division or of the board of review shall be punished by
32 a fine of not more than \$200.00 or by imprisonment for not longer
33 than 60 days, or by both such fine and imprisonment, and each day
34 such violation continues shall be deemed to be a separate offense.

35 (j) Protection against self-incrimination. No person shall be
36 excused from attending and testifying or from producing books,
37 papers, correspondence, memoranda and other records before the
38 department or the board of review or in obedience to the [subpena]
39 subpoena of a member of the department or the board of review or a
40 member thereof, or any duly authorized representative thereof in any
41 cause or proceeding before the department, the board of review or a
42 member thereof, on the ground that the testimony or evidence,
43 documentary or otherwise, required of him may tend to incriminate
44 him or subject him to a penalty or forfeiture; but no individual shall be
45 prosecuted or subject to any penalty or forfeiture for or on account of
46 any transaction, matter, or thing concerning which he is compelled,

1 after having claimed his privilege against self-incrimination, to testify
2 or produce evidence, documentary or otherwise, except that such
3 individual so testifying shall not be exempt from prosecution and
4 punishment for perjury committed in so testifying.

5 (k) State-Federal cooperation. In the administration of this chapter
6 the department shall cooperate to the fullest extent, consistent with the
7 provisions of this chapter, with the United States Department of Labor
8 to secure to this State and its citizens all advantages available under
9 the provisions of the Social Security Act (42 U.S.C. §301 et seq.), as
10 amended, the Federal Unemployment Tax Act (26 U.S.C. §3301 et
11 seq.), as amended, and the Wagner-Peyser Act (29 U.S.C. §49 et
12 seq.), as amended; shall make such reports, in such form and
13 containing such information as the United States Secretary of Labor
14 may from time to time require; and shall comply with such provisions
15 as the United States Secretary of Labor may from time to time find
16 necessary to assure the correctness and verification of such reports;
17 and shall comply with the regulations prescribed by the United States
18 Secretary of Labor governing the expenditure of such sums as may be
19 allotted and paid to this State under any of such federal acts.

20 Upon request therefor, the department shall furnish to any agency
21 of the United States charged with the administration of public works
22 or assistance through public employment, the name, address, ordinary
23 occupation and employment status of each recipient of benefits and
24 such recipient's rights to further benefits under this chapter.

25 The department may afford reasonable cooperation with every
26 agency of the United States charged with the administration of any
27 unemployment insurance law.

28 The department is authorized to make such investigations and
29 exercise such of the other powers provided herein with respect to the
30 administration of this chapter and to transmit such information and
31 make available such services and facilities to the agency charged with
32 the administration of any State or federal unemployment insurance or
33 public employment service law as it deems necessary or appropriate to
34 facilitate the administration of such law and to accept and utilize
35 information, services and facilities made available to this State by such
36 agency.

37 (cf: P.L.1984, c.24, s.8)

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39 3. This act shall take effect immediately and shall apply to all
40 hearings held before the division, an appeal tribunal or the board of
41 review on or after the effective date of this act.

STATEMENT

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This bill requires the Department of Labor to preserve all records, reports, hearing tapes and transcripts concerning a disputed unemployment compensation benefit claim for a period of two years after the completion of the final appeal hearing. Under the current law, all records, reports and other information obtained from employers and employees cannot be subject to subpoena and be admitted into evidence in any civil action or proceeding other than one arising under the "unemployment compensation law." This bill removes this prohibition. The bill also provides that if an interested party seeks to admit any record, report, hearing tape or transcript into evidence in any civil action or proceeding, the divisions shall provide the requested material within 30 days of the receipt of the written request by the interested party.

The bill further requires that the Division of Unemployment and Temporary Disability Insurance give notice to all parties 30 days prior to the destruction of the records, reports, hearing tapes or transcripts and supply an interested party with a copy of any record requested at that time.

An interested party making a request for any record may be assessed with the actual costs of reproducing a copy of the records, reports, hearing tapes or transcripts.

The bill shall apply to all hearings held before the division, an appeal tribunal or the board of review on or after the effective date of the bill.

Requires DOL to preserve all records concerning disputed unemployment compensation claims for two years and to release records for use in civil actions.