
SENATE BILL No. 162

AM016202 has been incorporated into January 16, 2026 printing.

Synopsis: Department of workforce development.

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Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

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SENATE BILL No. 162

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-4-2-41, AS ADDED BY P.L.200-2025,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 41. (a) Except as provided in subsection (b), as
4 used in this article, "suitable work" means the following **with respect**
5 **to extended benefit claims:**
6 (1) For an individual classified as having good job prospects
7 under IC 22-4-14-6.1, any work which would be considered
8 suitable work for the individual under IC 22-4-15-2(e).
9 (2) For an individual classified as having not good job prospects
10 under IC 22-4-14-6.1, any work which the individual has the
11 physical and mental capacity to perform.
12 (b) The term does not include any work that meets the following
13 conditions:
14 (1) If the gross average weekly remuneration payable to the
15 individual for the position would not exceed the sum of:
16 (A) the individual's average weekly benefit amount for the
17 individual's benefit year; plus

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1 (B) the amount (if any) of supplemental unemployment
2 compensation benefits (as defined in Section 501(c)(17)(D)
3 of the Internal Revenue Code) payable to the individual for
4 the week.

5 (2) If the position was not offered to the individual in writing or
6 was not listed with the department.

7 (3) If failure to accept the new work would not result in a denial
8 of compensation under the provisions of this article, to the extent
9 that the provisions are not inconsistent with the applicable
10 federal law.

11 (4) If the position pays less than the higher of:

12 (A) the minimum wage provided by 29 U.S.C. 206(a)(1)
13 (the Fair Labor Standards Act of 1938), without regard to
14 any exception; or

15 (B) the state minimum wage (IC 22-2-2).

16 SECTION 2. IC 22-4-4-3, AS AMENDED BY P.L.122-2019,
17 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2026]: Sec. 3. (a) For calendar quarters beginning on and after
19 July 1, 1997, and before July 1, 1998, "wage credits" means
20 remuneration paid for employment by an employer to an individual and
21 remuneration received as tips or gratuities in accordance with Sections
22 3102 and 3301 et seq. of the Internal Revenue Code. Wage credits may
23 not exceed five thousand four hundred dollars (\$5,400) and may not
24 include payments specified in section 2 of this chapter.

25 (b) For calendar quarters beginning on and after July 1, 1998, and
26 before July 1, 1999, "wage credits" means remuneration paid for
27 employment by an employer to an individual and remuneration
28 received as tips or gratuities in accordance with Sections 3102 and
29 3301 et seq. of the Internal Revenue Code. Wage credits may not
30 exceed five thousand six hundred dollars (\$5,600) and may not include
31 payments that are excluded from the definition of wages under section
32 2 of this chapter.

33 (c) For calendar quarters beginning on and after July 1, 1999, and
34 before July 1, 2000, "wage credits" means remuneration paid for
35 employment by an employer to an individual and remuneration
36 received as tips or gratuities in accordance with Sections 3102 and
37 3301 et seq. of the Internal Revenue Code. Wage credits may not
38 exceed five thousand eight hundred dollars (\$5,800) and may not
39 include payments that are excluded from the definition of wages under
40 section 2 of this chapter.

41 (d) For calendar quarters beginning on and after July 1, 2000, and
42 before July 1, 2001, "wage credits" means remuneration paid for

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1 employment by an employer to an individual and remuneration
2 received as tips or gratuities in accordance with Sections 3102 and
3 3301 et seq. of the Internal Revenue Code. Wage credits may not
4 exceed six thousand seven hundred dollars (\$6,700) and may not
5 include payments that are excluded from the definition of wages under
6 section 2 of this chapter.

7 (e) For calendar quarters beginning on and after July 1, 2001, and
8 before July 1, 2002, "wage credits" means remuneration paid for
9 employment by an employer to an individual and remuneration
10 received as tips or gratuities in accordance with Sections 3102 and
11 3301 et seq. of the Internal Revenue Code. Wage credits may not
12 exceed seven thousand three hundred dollars (\$7,300) and may not
13 include payments that are excluded from the definition of wages under
14 section 2 of this chapter.

15 (f) For calendar quarters beginning on and after July 1, 2002, and
16 before July 1, 2003, "wage credits" means remuneration paid for
17 employment by an employer to an individual and remuneration
18 received as tips or gratuities in accordance with Sections 3102 and
19 3301 et seq. of the Internal Revenue Code. Wage credits may not
20 exceed seven thousand nine hundred dollars (\$7,900) and may not
21 include payments that are excluded from the definition of wages under
22 section 2 of this chapter.

23 (g) For calendar quarters beginning on and after July 1, 2003, and
24 before July 1, 2004, "wage credits" means remuneration paid for
25 employment by an employer to an individual and remuneration
26 received as tips or gratuities in accordance with Sections 3102 and
27 3301 et seq. of the Internal Revenue Code. Wage credits may not
28 exceed eight thousand two hundred sixteen dollars (\$8,216) and may
29 not include payments that are excluded from the definition of wages
30 under section 2 of this chapter.

31 (h) For calendar quarters beginning on and after July 1, 2004, and
32 before July 1, 2005, "wage credits" means remuneration paid for
33 employment by an employer to an individual and remuneration
34 received as tips or gratuities in accordance with Sections 3102 and
35 3301 et seq. of the Internal Revenue Code. Wage credits may not
36 exceed eight thousand seven hundred thirty-three dollars (\$8,733) and
37 may not include payments that are excluded from the definition of
38 wages under section 2 of this chapter.

39 (i) For calendar quarters beginning on and after July 1, 2005, and
40 before July 1, 2012, "wage credits" means remuneration paid for
41 employment by an employer to an individual and remuneration
42 received as tips or gratuities in accordance with Sections 3102 and

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1 3301 et seq. of the Internal Revenue Code. Wage credits may not
 2 exceed nine thousand two hundred fifty dollars (\$9,250) and may not
 3 include payments that are excluded from the definition of wages under
 4 section 2 of this chapter.

5 (j) For calendar quarters beginning on and after July 1, 2012,
 6 "Wage credits" means remuneration paid for employment by an
 7 employer to an individual and remuneration received as tips or
 8 gratuities in accordance with Sections 3102 and 3301 et seq. of the
 9 Internal Revenue Code. Wage credits may not include payments that
 10 are excluded from the definition of wages under section 2 of this
 11 chapter.

12 SECTION 3. IC 22-4-5-1, AS AMENDED BY P.L.85-2023,
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2026]: Sec. 1. (a) "Deductible income" wherever used in this
 15 article, means income deductible from the weekly benefit amount of an
 16 individual in any week, and shall include, but shall not be limited to,
 17 any of the following:

18 (1) Remuneration for services from employing units, whether or
 19 not such remuneration is subject to contribution under this
 20 article, except as provided in subsection (c).

21 (2) Dismissal pay or severance pay, including:

22 (A) money that an employer pays to a dismissed employee
 23 to compensate the employee for income lost due to
 24 unemployment; and

25 (B) remuneration paid to a dismissed employee under a
 26 separation agreement.

27 ~~(3) Vacation pay.~~

28 ~~(4) (3) Pay for idle time.~~

29 ~~(5) Sick pay.~~

30 ~~(6) (4) Traveling expenses granted to an individual by an~~
 31 ~~employing unit and not fully accounted for by such individual.~~

32 ~~(7) (5) Net earnings from self-employment.~~

33 ~~(8) (6) Payments in lieu of compensation for services.~~

34 ~~(9) (7) Awards by the National Labor Relations Board of~~
 35 ~~additional pay, back pay, or for loss of employment, or any such~~
 36 ~~payments made under an agreement entered into by an employer,~~
 37 ~~a union, and the National Labor Relations Board.~~

38 ~~(10) (8) Payments made to an individual by an employing unit~~
 39 ~~pursuant to the terms of the Fair Labor Standards Act (Federal~~
 40 ~~Wage and Hour Law, 29 U.S.C. 201 et seq.).~~

41 (b) Deductible income shall not include one hundred dollars
 42 (\$100) of remuneration paid or payable to an individual with respect to



1 any week.

2 (c) For the purpose of deductible income only, remuneration for
3 services from employing units does not include holiday pay, **sick pay,**
4 **vacation pay,** bonuses, gifts, or prizes awarded to an employee by an
5 employing unit.

6 (d) Deductible income does not include a supplemental
7 unemployment insurance benefit made under a valid negotiated
8 contract or agreement.

9 (e) Deductible income does not include any payments made to an
10 individual by a court system under a summons for jury service.

11 SECTION 4. IC 22-4-5-2, AS AMENDED BY P.L.9-2024,
12 SECTION 439, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2026]: Sec. 2. ~~(a) Payments in lieu of a vacation~~
14 ~~awarded to an employee by an employing unit shall be considered as~~
15 ~~deductible income in and with respect to the week in which the~~
16 ~~vacation occurs.~~

17 ~~(b) (a) The payment of accrued vacation pay,~~ dismissal pay or
18 severance pay to an individual separated from employment by an
19 employing unit shall be allocated to the period of time for which such
20 payment is made immediately following the date of separation, and an
21 individual receiving such payments shall not be deemed unemployed
22 with respect to a week during which such allocated deductible income
23 equals or exceeds the weekly benefit amount of the individual's claim.

24 ~~(c) (b) Pay for:~~
25 (1) idle time;
26 ~~(2) sick pay;~~
27 ~~(3) (2) traveling expenses granted to an individual by an~~
28 ~~employing unit and not fully accounted for by such individual;~~
29 ~~(4) (3) earnings from self-employment;~~
30 ~~(5) (4) awards by the National Labor Relations Board of~~
31 ~~additional pay, back pay, or for loss of employment;~~
32 ~~(6) (5) payments made under an agreement entered into by an~~
33 ~~employer, a union, and the National Labor Relations Board; or~~
34 ~~(7) (6) payments to an employee by an employing unit made~~
35 ~~pursuant to the terms and provisions of the Fair Labor Standards~~
36 ~~Act;~~

37 shall be deemed to constitute deductible income with respect to the
38 week or weeks for which such payments are made. However, if
39 payments made under subdivision ~~(5) (4)~~ or ~~(6) (5)~~ are not, by the
40 terms of the order or agreement under which the payments are made,
41 allocated to any designated week or weeks, then, and in such cases,
42 such payments shall be considered as deductible income in and with

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1 respect to the week in which the same is actually paid.

2 ~~(d) Payment of vacation pay shall be deemed deductible income~~
3 ~~with respect to the week or weeks falling within such vacation period~~
4 ~~for which vacation payment is made.~~

5 SECTION 5. IC 22-4-5-3, AS AMENDED BY P.L.122-2019,
6 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2026]: Sec. 3. (a) This section applies for purposes of
8 deductible income only.

9 (b) If:

10 (1) an employee and an employing unit have agreed in a labor
11 contract ~~that is negotiated on or before May 10, 1987, and any~~
12 ~~renewals of the contract,~~ to establish a work week that is a
13 different term of seven (7) days than the calendar week;

14 (2) the employing unit has filed a written notice with the
15 department in the form and manner prescribed by the department
16 stating that a work week other than the calendar week has been
17 established under the labor contract between the employing unit
18 and its employees; and

19 (3) the notice has been filed with the department before an
20 employee working on the contractual work week files a claim for
21 unemployment compensation benefits;

22 the work week specified in the contract may be used for purposes of
23 this chapter.

24 SECTION 6. IC 22-4-7-1, AS AMENDED BY P.L.171-2016,
25 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2026]: Sec. 1. (a) ~~Before January 1, 2015, "employer" means:~~

27 ~~(1) any employing unit which for some portion of a day, but not~~
28 ~~necessarily simultaneously, in each of twenty (20) different~~
29 ~~weeks, whether or not such weeks are or were consecutive within~~
30 ~~either the current or the preceding year, has or had in~~
31 ~~employment, and/or has incurred liability for wages payable to,~~
32 ~~one (1) or more individuals (irrespective of whether the same~~
33 ~~individual or individuals are or were employed in each such~~
34 ~~day); or~~

35 ~~(2) any employing unit which in any calendar quarter in either~~
36 ~~the current or preceding calendar year paid for service in~~
37 ~~employment wages of one thousand five hundred dollars~~
38 ~~(\$1,500) or more, except as provided in section 2(e), 2(h), and~~
39 ~~2(i) of this chapter.~~

40 ~~(b) (a) After December 31, 2014, "Employer" means either of the~~
41 ~~following:~~

42 (1) An employing unit that has incurred liability for wages

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1 payable to one (1) or more individuals.

2 (2) An employing unit that in any calendar quarter during the
3 current or preceding calendar year paid for service in
4 employment wages of one dollar (\$1) or more, except as
5 provided in section 2(e), 2(h), and 2(i) of this chapter.

6 ~~(e)~~ (b) For the purpose of this definition, if any week includes both
7 December 31, and January 1, the days up to January 1 shall be deemed
8 one (1) calendar week and the days beginning January 1 another such
9 week.

10 ~~(d)~~ (c) For purposes of this section, "employment" shall include
11 services which would constitute employment but for the fact that such
12 services are deemed to be performed entirely within another state
13 pursuant to an election under an arrangement entered into by the
14 department (pursuant to IC 22-4-22) and an agency charged with the
15 administration of any other state or federal unemployment
16 compensation law.

17 SECTION 7. IC 22-4-8-2, AS AMENDED BY P.L.200-2025,
18 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2026]: Sec. 2. The term "employment" shall include:

20 (a) An individual's entire service performed within or both within
21 and without Indiana if the service is localized in Indiana.

22 (b) An individual's entire service performed within or both within
23 and without Indiana if the service is not localized in any state, but some
24 of the service is performed in Indiana and:

25 (1) the base of operations, or, if there is no base of operations,
26 then the place from which such service is directed or controlled
27 is in Indiana;

28 (2) the base of operations or place from which such service is
29 directed or controlled is not in any state in which some part of
30 the service is performed but the individual's residence is in
31 Indiana; or

32 (3) such service is not covered under the unemployment
33 compensation law of any other state or Canada, and the place
34 from which the service is directed or controlled is in Indiana.

35 (c) Services not covered under subsections (a) and (b) and
36 performed entirely without Indiana, with respect to no part of which
37 contributions are required and paid under an unemployment
38 compensation law of any other state or of the United States, shall be
39 deemed to be employment subject to this article if the department
40 approves the election of the individual performing such services and
41 the employing unit for which such services are performed, that the
42 entire services of such individual shall be deemed to be employment

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1 subject to this article.

2 (d) Services covered by an election duly approved by the
3 department, in accordance with an agreement pursuant to IC 22-4-22-1
4 through IC 22-4-22-5, shall be deemed to be employment during the
5 effective period of such election.

6 (e) Service shall be deemed to be localized within a state if:

7 (1) the service is performed entirely within such state; or

8 (2) the service is performed both within and without such state,
9 but the service performed without such state is incidental to the
10 individual's service within the state, such as is temporary or
11 transitory in nature or consists of isolated transactions.

12 (f) Periods of vacation with pay or leave with pay, other than
13 military leave granted or given to an individual by an employer.

14 (g) Notwithstanding any other provisions of this article, the term
15 employment shall also include all services performed by an officer or
16 member of the crew of an American vessel or American aircraft, on or
17 in connection with such vessel or such aircraft, provided that the
18 operating office, from which the operations of such vessel operating on
19 navigable waters within or the operations of such aircraft within, or the
20 operation of such vessel or aircraft within and without the United States
21 are ordinarily and regularly supervised, managed, directed, and
22 controlled, is within this state.

23 (h) Services performed for an employer which is subject to
24 contribution solely by reason of liability for any federal tax against
25 which credit may be taken for contributions paid into a state
26 unemployment compensation fund.

27 (i) The following:

28 (1) Service performed after December 31, 1971, by an individual
29 in the employ of this state or any of its instrumentalities (or in
30 the employ of this state and one (1) or more other states or their
31 instrumentalities) for a hospital or eligible postsecondary
32 educational institution located in Indiana.

33 (2) Service performed after December 31, 1977, by an individual
34 in the employ of this state or a political subdivision of the state
35 or any instrumentality of the state or a political subdivision, or
36 any instrumentality which is wholly owned by the state and one
37 (1) or more other states or political subdivisions, if the service is
38 excluded from "employment" as defined in Section 3306(c)(7)
39 of the Federal Unemployment Tax Act (26 U.S.C. 3306(c)(7)).
40 However, service performed after December 31, 1977, as the
41 following is excluded:

42 (A) An elected official.

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- 1 (B) A member of a legislative body or of the judiciary of a
 2 state or political subdivision.
- 3 (C) A member of the state national guard or air national
 4 guard.
- 5 (D) An employee serving on a temporary basis in the case
 6 of fire, snow, storm, earthquake, flood, or similar
 7 emergency.
- 8 (E) An individual in a position which, under the laws of the
 9 state, is designated as:
- 10 (i) a major nontenured policymaking or advisory
 11 position; or
- 12 (ii) a policymaking or advisory position the
 13 performance of the duties of which ordinarily does not
 14 require more than eight (8) hours per week.
- 15 (3) Service performed after March 31, 1981, by an individual
 16 whose service is part of an unemployment work relief or work
 17 training program assisted or financed in whole by any federal
 18 agency or an agency of this state or a political subdivision of this
 19 state, by an individual receiving such work relief or work
 20 training is excluded.
- 21 (j) Service performed after December 31, 1971, by an individual
 22 in the employ of a religious, charitable, educational, or other
 23 organization, but only if the following conditions are met:
- 24 (1) The service is excluded from "employment" as defined in the
 25 Federal Unemployment Tax Act solely by reason of Section
 26 3306(c)(8) of that act (26 U.S.C. 3306(c)(8)).
- 27 (2) The organization had four (4) or more individuals in
 28 employment ~~within the state of Indiana~~, for some portion of a
 29 day in each of twenty (20) different weeks, whether or not such
 30 weeks were consecutive, within either the current or preceding
 31 calendar year, regardless of whether they were employed at the
 32 same moment of time.
- 33 (3) For the purposes of subdivisions (1) and (2), the term
 34 "employment" does not apply to service performed as follows:
- 35 (A) In the employ of:
- 36 (i) a church or convention or association of churches;
 37 or
- 38 (ii) an organization which is operated primarily for
 39 religious purposes and which is operated, supervised,
 40 controlled, or principally supported by a church or
 41 convention or association of churches.
- 42 (B) By a duly ordained, commissioned, or licensed minister

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- 1 of a church in the exercise of his ministry or by a member
- 2 of a religious order in the exercise of duties required by
- 3 such order.
- 4 (C) Before January 1, 1978, in the employ of a school which
- 5 is not an eligible postsecondary educational institution.
- 6 (D) In a facility conducted for the purpose of carrying out a
- 7 program of rehabilitation for individuals whose earning
- 8 capacity is impaired by age or physical or mental deficiency
- 9 or injury or providing remunerative work for individuals
- 10 who because of their impaired physical or mental capacity
- 11 cannot be readily absorbed in the competitive labor market
- 12 by an individual receiving such rehabilitation or
- 13 remunerative work.
- 14 (E) As part of an unemployment work relief or work
- 15 training program assisted or financed in whole or in part by
- 16 any federal agency or an agency of a state or political
- 17 subdivision thereof, by an individual receiving such work
- 18 relief or work training.
- 19 (k) The service of an individual who is a citizen of the United
- 20 States, performed outside the United States (except in Canada), after
- 21 December 31, 1971, in the employ of an American employer (other
- 22 than service which is deemed "employment" under the provisions of
- 23 subsection (a), (b), or (e) or the parallel provisions of another state's
- 24 law), if the following apply:
- 25 (1) The employer's principal place of business in the United
- 26 States is located in this state.
- 27 (2) The employer has no place of business in the United States,
- 28 but the employer is:
- 29 (A) an individual who is a resident of this state;
- 30 (B) a corporation which is organized under the laws of this
- 31 state;
- 32 (C) a partnership, limited liability partnership, or a trust and
- 33 the number of the partners or trustees who are residents of
- 34 this state is greater than the number who are residents of
- 35 any one (1) other state; or
- 36 (D) an association, a joint venture, an estate, a limited
- 37 liability company, a joint stock company, or an insurance
- 38 company (referred to as an "entity" in this clause), and
- 39 either:
- 40 (i) the entity is organized under the laws of this state;
- 41 or
- 42 (ii) the number of owners, members, or beneficiaries

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- 1 who are residents of this state is greater than the
- 2 number who are residents of any one (1) other state.
- 3 (3) None of the criteria of subdivisions (1) and (2) is met but the
- 4 employer has elected coverage in this state or, the employer
- 5 having failed to elect coverage in any state, the individual has
- 6 filed a claim for benefits, based on such service, under the law
- 7 of this state.
- 8 (4) An "American employer," for purposes of this subsection,
- 9 means:
- 10 (A) an individual who is a resident of the United States;
- 11 (B) a partnership or limited liability partnership, if
- 12 two-thirds (2/3) or more of the partners are residents of the
- 13 United States;
- 14 (C) a trust, if all of the trustees are residents of the United
- 15 States; or
- 16 (D) a corporation, an association, a joint venture, an estate,
- 17 a limited liability company, a joint stock company, or an
- 18 insurance company organized or established under the laws
- 19 of the United States or of any state.
- 20 (l) The term "employment" also includes the following:
- 21 (1) Service performed after December 31, 1977, by an individual
- 22 in agricultural labor (as defined in section 3(c) of this chapter)
- 23 when the service is performed for an employing unit which:
- 24 (A) during any calendar quarter in either the current or
- 25 preceding calendar year paid cash remuneration of twenty
- 26 thousand dollars (\$20,000) or more to individuals employed
- 27 in agricultural labor; or
- 28 (B) for some portion of a day in each of twenty (20)
- 29 different calendar weeks, whether or not the weeks were
- 30 consecutive, in either the current or the preceding calendar
- 31 year, employed in agricultural labor ten (10) or more
- 32 individuals, regardless of whether they were employed at
- 33 the same time.
- 34 (2) For the purposes of this subsection, any individual who is a
- 35 member of a crew furnished by a crew leader to perform service
- 36 in agricultural labor for any other person shall be treated as an
- 37 employee of the crew leader:
- 38 (A) if the crew leader holds a valid certificate of registration
- 39 under the Farm Labor Contractor Registration Act of 1963,
- 40 or substantially all the members of the crew operate or
- 41 maintain tractors, mechanized harvesting or crop dusting
- 42 equipment, or any other mechanized equipment, which is

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- 1 provided by the crew leader; and
- 2 (B) if the individual is not an employee of another person
- 3 within the meaning of section 1 of this chapter.
- 4 (3) For the purposes of subdivision (1), in the case of an
- 5 individual who is furnished by a crew leader to perform service
- 6 in agricultural labor for any other person and who is not treated
- 7 as an employee of the crew leader under subdivision (2):
- 8 (A) the other person and not the crew leader shall be treated
- 9 as the employer of the individual; and
- 10 (B) the other person shall be treated as having paid cash
- 11 remuneration to the individual in an amount equal to the
- 12 amount of cash remuneration paid to the individual by the
- 13 crew leader (either on the individual's own behalf or on
- 14 behalf of the other person) for the service in agricultural
- 15 labor performed for the other person.
- 16 (4) For the purposes of this subsection, the term "crew leader"
- 17 means an individual who:
- 18 (A) furnishes individuals to perform service in agricultural
- 19 labor for any other person;
- 20 (B) pays (either on the individual's own behalf or on behalf
- 21 of the other person) the agricultural laborers furnished by
- 22 the individual for the service in agricultural labor performed
- 23 by them; and
- 24 (C) has not entered into a written agreement with the other
- 25 person under which the individual is designated as an
- 26 employee of the other person.
- 27 (m) The term "employment" includes domestic service after
- 28 December 31, 1977, in a private home, local college club, or local
- 29 chapter of a college fraternity or sorority performed for a person who
- 30 paid cash remuneration of one thousand dollars (\$1,000) or more after
- 31 December 31, 1977, in the current calendar year or the preceding
- 32 calendar year to individuals employed in the domestic service in any
- 33 calendar quarter.
- 34 SECTION 8. IC 22-4-10-3, AS AMENDED BY P.L.2-2011,
- 35 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2026]: Sec. 3. ~~(a) This subsection applies before January 1,~~
- 37 ~~2011. Except as provided in section 1(b) through 1(e) of this chapter,~~
- 38 ~~each employer shall pay contributions equal to five and six-tenths~~
- 39 ~~percent (5.6%) of wages, except as otherwise provided in IC 22-4-11-2,~~
- 40 ~~IC 22-4-11-3, IC 22-4-11.5, and IC 22-4-37-3.~~
- 41 ~~(b) This subsection applies after December 31, 2010. Except as~~
- 42 ~~provided in section 1(b) through 1(e) of this chapter and IC 22-4-37-3,~~

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1 each employer shall pay contributions equal to the amount determined
 2 or estimated by the department under section 6 of this chapter,
 3 IC 22-4-11-2, IC 22-4-11-3.5, and IC 22-4-11.5.

4 SECTION 9. IC 22-4-11-0.1, AS ADDED BY P.L.220-2011,
 5 SECTION 364, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2026]: Sec. 0.1. The amendments made to
 7 section 1 of this chapter by P.L.172-1991 apply to individuals who file
 8 a disaster unemployment **assistance** claim or a state unemployment
 9 insurance claim after June 1, 1990, and before June 2, 1991, or during
 10 a period to be determined by the general assembly.

11 SECTION 10. IC 22-4-11-2, AS AMENDED BY P.L.200-2025,
 12 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2026]: Sec. 2. (a) Except as provided in IC 22-4-10-6 and
 14 IC 22-4-11.5, the department shall for each year determine the
 15 contribution rate applicable to each employer.

16 (b) The balance shall include contributions with respect to the
 17 period ending on the computation date and actually paid on or before
 18 July 31 immediately following the computation date and benefits
 19 actually paid on or before the computation date and shall also include
 20 any voluntary payments made in accordance with IC 22-4-10-5 or
 21 IC 22-4-10-5.5 (repealed):

22 (1) for each calendar year, an employer's rate shall be determined
 23 in accordance with the rate schedules in section 3.3 or 3.5 of this
 24 chapter; and

25 (2) for each calendar year, an employer's rate shall be two and
 26 five-tenths percent (2.5%), except as otherwise provided in
 27 subsection (g) or IC 22-4-37-3, unless:

28 (A) the employer has been subject to this article throughout
 29 the thirty-six (36) consecutive calendar months immediately
 30 preceding the computation date; **and**

31 (B) there has been some annual payroll in each of the three
 32 (3) twelve (12) month periods immediately preceding the
 33 computation date. **and**

34 ~~(C) the employer has properly filed all required contribution~~
 35 ~~and wage reports; and all contributions, penalties, and~~
 36 ~~interest due and owing by the employer or the employer's~~
 37 ~~predecessors have been paid:~~

38 (c) In addition to the conditions and requirements set forth and
 39 provided in subsection (b)(2)(A) **and** (b)(2)(B), **and** ~~(b)(2)(C)~~; an
 40 employer's rate is equal to the sum of the employer's contribution rate
 41 determined or estimated by the department under this article plus two
 42 percent (2%) unless all required contributions and wage reports have

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1 been filed within thirty-one (31) days following the computation date
2 and all contributions, penalties, and interest due and owing by the
3 employer or the employer's predecessor for periods before and
4 including the computation date have been paid:

5 (1) within thirty-one (31) days following the computation date;

6 or

7 (2) within ten (10) days after the department has given the
8 employer a written notice by mail of:

9 (A) the delinquency; or

10 (B) failure to file the reports;

11 whichever is the later date. The department or the department's
12 designee may waive the imposition of rates under this subsection if the
13 department finds the employer's failure to meet the deadlines was for
14 excusable cause. The department shall give written notice to the
15 employer before this additional condition or requirement shall apply.
16 An employer's rate under this subsection may not exceed twelve
17 percent (12%).

18 (d) However, if the employer is the state or a political subdivision
19 of the state or any instrumentality of a state or a political subdivision,
20 or any instrumentality which is wholly owned by the state and one (1)
21 or more other states or political subdivisions, the employer may
22 contribute at a rate of one and six-tenths percent (1.6%) until it has
23 been subject to this article throughout the thirty-six (36) consecutive
24 calendar months immediately preceding the computation date.

25 (e) On the computation date every employer who had taxable
26 wages in the previous calendar year shall have the employer's
27 experience account charged with the amount determined under the
28 following formula:

29 STEP ONE: Divide:

30 (A) the employer's taxable wages for the preceding calendar
31 year; by

32 (B) the total taxable wages for the preceding calendar year.

33 STEP TWO: Subtract:

34 (A) the amount described in IC 22-4-10-4.5(e)(2), if any;
35 from

36 (B) the total amount of benefits charged to the fund under
37 section 1 of this chapter.

38 STEP THREE: Multiply the quotient determined under STEP
39 ONE by the difference determined under STEP TWO.

40 (f) One (1) percentage point of the rate imposed under subsection
41 (c), or the amount of the employer's payment that is attributable to the
42 increase in the contribution rate, whichever is less, shall be imposed as

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1 a penalty that is due and shall be deposited upon collection into the
 2 special employment and training services fund established under
 3 IC 22-4-25-1. The remainder of the contributions paid by an employer
 4 pursuant to the maximum rate shall be:

- 5 (1) considered a contribution for the purposes of this article; and
- 6 (2) deposited in the unemployment insurance benefit fund
 7 established under IC 22-4-26.

8 (g) Except as otherwise provided in IC 22-4-37-3, this subsection,
 9 instead of subsection (b)(2), applies to an employer in the construction
 10 industry. As used in the subsection, "construction industry" means
 11 business establishments whose proper primary classification in the
 12 current edition of the North American Industry Classification System
 13 Manual - United States, published by the National Technical
 14 Information Service of the United States Department of Commerce is
 15 23 (construction). For each calendar year beginning after December 31,
 16 2013, an employer's rate shall be equal to the lesser of four percent
 17 (4%) or the average of the contribution rates paid by all employers in
 18 the construction industry subject to this article during the twelve (12)
 19 months preceding the computation date, unless:

- 20 (1) the employer has been subject to this article throughout the
 21 thirty-six (36) consecutive calendar months immediately
 22 preceding the computation date;
- 23 (2) there has been some annual payroll in each of the three (3)
 24 twelve (12) month periods immediately preceding the
 25 computation date; and
- 26 (3) the employer has properly filed all required contribution and
 27 wage reports, and all contributions, penalties, and interest due
 28 and owing by the employer or the employer's predecessors have
 29 been paid.

30 (h) The department shall satisfy the notice requirement in
 31 subsection (c) by sending:

- 32 (1) physical mail to the employer's last known address; or
- 33 (2) electronic mail to an electronic mail address provided to the
 34 department by the employer or a representative of the employer.

35 However, if electronic mail is used and the department does not receive
 36 a receipt or electronic confirmation within five (5) days of
 37 transmission, the notice is insufficient and notice must be sent by
 38 physical mail as soon as practicable.

39 SECTION 11. IC 22-4-12-0.1, AS ADDED BY P.L.220-2011,
 40 SECTION 365, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2026]: Sec. 0.1. The amendments made to
 42 section 4 of this chapter by P.L.172-1991 apply to individuals who file

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1 a disaster unemployment **assistance** claim or a state unemployment
2 insurance claim after June 1, 1990, and before June 2, 1991, or during
3 a period to be determined by the general assembly.

4 SECTION 12. IC 22-4-12-1, AS AMENDED BY P.L.108-2006,
5 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]: Sec. 1. (a) Benefits designated as unemployment
7 insurance benefits shall become payable from the fund to any
8 individual who is or becomes unemployed and eligible for benefits
9 under the terms of this article.

10 (b) All benefits shall be paid through the department or such other
11 agencies as the department by rule may designate at such times and in
12 such manner as the department may prescribe.

13 (c) **Except as provided in subsection (d), the department may**
14 **make direct deposit disbursements with respect to the payment of**
15 **benefits to a financial institution account designated by an**
16 **individual only if the financial institution:**

- 17 (1) has a physical branch location in Indiana; or
- 18 (2) is designated as an approved depository by the treasurer
19 of state.

20 (d) **The department may approve a financial institution that**
21 **does not qualify under subsection (c)(1) or (c)(2) if the financial**
22 **institution is in compliance with IC 22-4-17-7, IC 22-4-17-8, and**
23 **IC 22-4-19.**

24 (e) The department may adopt rules to provide for the payment of
25 benefits due and payable on executed vouchers to persons since
26 deceased. Benefits so due and payable may be paid to the legal
27 representative, dependents, or next of kin of the deceased as are found
28 to be entitled thereto, which rules need not conform with the laws of
29 the state governing decedent estates, and every such payment shall be
30 deemed a valid payment to the same extent as if made to the legal
31 representative of the deceased.

32 SECTION 13. IC 22-4-12-2, AS AMENDED BY P.L.2-2011,
33 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2026]: Sec. 2. (a) ~~With respect to initial claims filed for any~~
35 ~~week beginning on and after July 1, 1997, and before July 1, 2012,~~
36 ~~each eligible individual who is totally unemployed (as defined in~~
37 ~~IC 22-4-3-1) in any week in the individual's benefit period shall be paid~~
38 ~~for the week, if properly claimed, benefits at the rate of:~~

- 39 (1) five percent (5%) of the first two thousand dollars (\$2,000)
- 40 of the individual's wage credits in the calendar quarter during the
- 41 individual's base period in which the wage credits were highest;
- 42 and

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1 (2) four percent (4%) of the individual's remaining wage credits
2 in the calendar quarter during the individual's base period in
3 which the wage credits were highest.

4 (b) (a) ~~With respect to initial claims filed for any week beginning~~
5 ~~on and after July 1, 2012;~~ Each eligible individual who is totally
6 unemployed (as defined in IC 22-4-3-1) in any week in the individual's
7 benefit period shall be paid for the week, if properly claimed, an
8 amount equal to forty-seven percent (47%) of the individual's prior
9 average weekly wage, rounded (if not already a multiple of one dollar
10 (\$1)) to the next lower dollar. However, the maximum weekly benefit
11 amount may not exceed three hundred ninety dollars (\$390).

12 (c) (b) For purposes of this section, "prior average weekly wage"
13 means the result of:

- 14 (1) the individual's total wage credits during the individual's base
15 period; divided by
- 16 (2) fifty-two (52).

17 SECTION 14. IC 22-4-12-4, AS AMENDED BY P.L.200-2025,
18 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2026]: Sec. 4. (a) Benefits shall be computed upon the basis
20 of wage credits of an individual in the individual's base period. Wage
21 credits shall be reported by the employer and credited to the individual
22 in the manner prescribed by the department. With respect to initial
23 claims filed for any week beginning on and after July 7, 1991, the
24 maximum total amount of benefits payable to any eligible individual
25 during any benefit period shall not exceed twenty-six (26) times the
26 individual's weekly benefit, or twenty-eight percent (28%) of the
27 individual's wage credits with respect to the individual's base period,
28 whichever is less. If such maximum total amount of benefits is not a
29 multiple of one dollar (\$1), it shall be computed to the next lower
30 multiple of one dollar (\$1).

31 (b) Except as provided in subsection (d), the total extended benefit
32 amount payable to any eligible individual with respect to the
33 individual's applicable benefit period shall be fifty percent (50%) of the
34 total amount of regular benefits ~~(including dependents' allowances)~~
35 which were payable to the individual under this article in the applicable
36 benefit year, or thirteen (13) times the weekly benefit amount
37 ~~(including dependents' allowances)~~ which was payable to the individual
38 under this article for a week of total unemployment in the applicable
39 benefit year, whichever is the lesser amount.

40 (c) This subsection applies to individuals who file a disaster
41 unemployment ~~assistance~~ claim. ~~or a state unemployment insurance~~
42 ~~claim after June 1, 1990; and before June 2, 1991; or during another~~

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1 ~~time specified in another state statute.~~ An individual is entitled to **may**
 2 **be eligible for** thirteen (13) weeks of additional benefits ~~as originally~~
 3 ~~determined~~, if:

4 (1) the individual has established:

- 5 (A) a disaster unemployment **assistance** claim under the
 6 Stafford Disaster Relief and Emergency Assistance Act; or
 7 (B) a state unemployment insurance claim as a direct result
 8 of a major disaster;

9 (2) all regular benefits and all disaster unemployment assistance
 10 benefits:

- 11 (A) have been exhausted by the individual; or
 12 (B) are no longer payable to the individual due to the
 13 expiration of the disaster assistance period; and

14 (3) the individual remains unemployed as a direct result of the
 15 disaster.

16 (d) For purposes of this subsection, "high unemployment period"
 17 means a period during which an extended benefit period would be in
 18 effect if IC 22-4-14-6.9(d)(1) were applied by substituting "eight
 19 percent (8%)" for "six and five-tenths percent (6.5%)". Effective with
 20 respect to weeks beginning in a high unemployment period, the total
 21 extended benefit amount payable to an eligible individual with respect
 22 to the applicable benefit year is equal to the least of the following
 23 amounts:

24 (1) Eighty percent (80%) of the total amount of regular benefits
 25 that were payable to the eligible individual under this article in
 26 the applicable benefit year.

27 (2) Twenty (20) times the weekly benefit amount that was
 28 payable to the eligible individual under this article for a week of
 29 total unemployment in the applicable benefit year.

30 (3) Forty-six (46) times the weekly benefit amount that was
 31 payable to the eligible individual under this article for a week of
 32 total unemployment in the applicable benefit year, reduced by
 33 the regular unemployment compensation benefits paid (or
 34 deemed paid) during the benefit year.

35 This subsection expires on the later of December 5, 2009, or the week
 36 ending four (4) weeks before the last week for which federal sharing is
 37 authorized by Section 2005(a) of Division B, Title II (the federal
 38 Assistance to Unemployed Workers and Struggling Families Act) of
 39 the federal American Recovery and Reinvestment Act of 2009 (P.L.
 40 111-5).

41 (e) For purposes of this subsection, "high unemployment period"
 42 means a period during which an extended benefit period would be in

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1 effect if IC 22-4-14-6.9(h)(1) were applied by substituting "eight
 2 percent (8%)" for "six and one-half percent (6.5%)". Effective with
 3 respect to weeks of unemployment beginning after March 1, 2011, and
 4 ending on the later of December 10, 2011, or the week ending four (4)
 5 weeks before the last week for which federal sharing is authorized by
 6 Section 2005(a) of Division B, Title II (the federal Assistance to
 7 Unemployed and Struggling Families Act) of the federal American
 8 Recovery and Reinvestment Act of 2009 (P.L. 111-5), in a high
 9 unemployment period, the total extended benefit amount payable to an
 10 eligible individual with respect to the applicable benefit year is equal
 11 to the lesser of the following amounts:

12 (1) Eighty percent (80%) of the total amount of regular benefits
 13 that were payable to the eligible individual under this article in
 14 the applicable benefit year.

15 (2) Twenty (20) times the weekly benefit amount that was
 16 payable to the eligible individual under this article for a week of
 17 total unemployment in the applicable benefit year.

18 SECTION 15. IC 22-4-14-1, AS AMENDED BY P.L.2-2011,
 19 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2026]: Sec. 1. (a) Except as provided in IC 22-4-5-1 or
 21 subsection (b), ~~or (c)~~; an unemployed individual shall be eligible to
 22 receive benefits with respect to any week only if the individual has
 23 made a claim for benefits in accordance with IC 22-4-17.

24 (b) A person who:

25 (1) accepts a layoff under an inverse seniority clause of a validly
 26 negotiated contract; and

27 (2) otherwise meets the eligibility requirements established by
 28 this article;

29 is entitled to receive benefits in the same amounts, under the same
 30 terms, and subject to the same conditions as any other unemployed
 31 person.

32 ~~(c) This subsection applies to initial claims for unemployment~~
 33 ~~filed for a week that begins after March 14, 2008, and before October~~
 34 ~~1, 2011. This subsection does not apply to a person who elects to retire~~
 35 ~~in connection with a layoff or plant closure and receive pension,~~
 36 ~~retirement, or annuity payments. Except as provided in IC 22-4-5-1, a~~
 37 ~~person who:~~

38 ~~(1) accepts an offer of payment or other compensation offered by~~
 39 ~~an employer to avert or lessen the effect of a layoff or plant~~
 40 ~~closure; and~~

41 ~~(2) otherwise meets the eligibility requirements established by~~
 42 ~~this article;~~

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1 is entitled to receive benefits in the same amounts, under the same
2 terms, and subject to the same conditions as any other unemployed
3 person:

4 SECTION 16. IC 22-4-14-5, AS AMENDED BY P.L.183-2015,
5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]: Sec. 5. (a) As further conditions precedent to the
7 payment of benefits to an individual with respect to benefit periods
8 established on and after July 1, 1995, but before January 1, 2010:

9 (1) the individual must have established, after the last day of the
10 individual's last base period, if any, wage credits (as defined in
11 IC 22-4-4-3 and within the meaning of IC 22-4-22-3) equal to at
12 least one and one-quarter (1.25) times the wages paid to the
13 individual in the calendar quarter in which the individual's wages
14 were highest; and

15 (2) the individual must have established wage credits in the last
16 two (2) calendar quarters of the individual's base period in a total
17 amount of not less than one thousand six hundred fifty dollars
18 (\$1,650) and an aggregate in the four (4) calendar quarters of the
19 individual's base period of not less than two thousand seven
20 hundred fifty dollars (\$2,750):

21 (b) As a further condition precedent to the payment of benefits to
22 an individual with respect to a benefit year established on and after July
23 1, 1995; An insured worker may not receive benefits in a benefit year
24 unless:

25 (1) after the beginning of the immediately preceding benefit year
26 during which the individual received benefits, the individual:

- 27 (1) (A) performed insured work;
- 28 (2) (B) earned remuneration in employment in at least each
29 of eight (8) weeks; and
- 30 (3) (C) earned remuneration equal to or exceeding the
31 product of the individual's weekly benefit amount
32 multiplied by eight (8);

33 (c) As further conditions precedent to the payment of benefits to
34 an individual with respect to benefit periods established on and after
35 January 1, 2010:

36 (1) (2) the individual ~~must have~~ **has** established, after the last
37 day of the individual's last base period, if any, wage credits (as
38 defined in IC 22-4-4-3 and within the meaning of wages under
39 IC 22-4-22-3) equal to at least one and five-tenths (1.5) times the
40 wages paid to the individual in the calendar quarter in which the
41 individual's wages were highest; and

42 (2) (3) the individual ~~must have~~ **has** established wage credits in

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1 the last two (2) calendar quarters of the individual's base period
2 in a total amount of not less than two thousand five hundred
3 dollars (\$2,500) and a total amount in the four (4) calendar
4 quarters of the individual's base period of not less than four
5 thousand two hundred dollars (\$4,200).

6 SECTION 17. IC 22-4-17-2, AS AMENDED BY P.L.200-2025,
7 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2026]: Sec. 2. (a) When an individual files an initial claim, the
9 department shall promptly make a determination of the individual's
10 status as an insured worker. A notice of the determination of insured
11 status shall be furnished to the individual promptly. Each determination
12 shall be based on and include a statement showing the amount of wages
13 paid to the individual for insured work by each employer during the
14 individual's base period and shall include a finding as to whether the
15 wages meet the requirements for the individual to be an insured
16 worker, and, if so, the week ending date of the first week of the
17 individual's benefit period, the individual's weekly benefit amount, and
18 the maximum amount of benefits that may be paid to the individual for
19 weeks of unemployment in the individual's benefit period. For the
20 individual who is not insured, the notice shall include the reason for the
21 determination. The following apply in regard to the determination:

22 (1) Unless the individual, within fifteen (15) days after the
23 determination was sent by the department to the individual, asks
24 for a hearing before an administrative law judge, the
25 determination shall be final and benefits shall be paid or denied
26 in accordance with the determination. ~~The date listed under date~~
27 ~~sent on the determination of eligibility is prima facie evidence~~
28 ~~that the determination was sent to the party on that date.~~

29 (2) If an individual asks for a wage investigation, the
30 unemployment insurance tax division shall promptly perform an
31 investigation to determine whether wages from insured work
32 should be added or subtracted from the claim. A determination
33 of the wage investigation shall be furnished to the individual
34 promptly upon completion. Unless the individual, within fifteen
35 (15) days after the determination was sent by the unemployment
36 insurance tax division, requests an appeal to a liability
37 administrative law judge under IC 22-4-32-1, the determination
38 shall be final.

39 (b) The department shall promptly furnish each employer in the
40 base period whose experience or reimbursable account is potentially
41 chargeable with benefits to be paid to the individual with a notice of
42 the employer's benefit liability. The notice shall contain the date, the

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1 name and Social Security account number of the individual, the ending
 2 date of the individual's base period, and the week ending date of the
 3 first week of the individual's benefit period. The notice shall further
 4 contain information as to the proportion of benefits chargeable to the
 5 employer's experience or reimbursable account in ratio to the earnings
 6 of the individual from the employer. Unless the employer within fifteen
 7 (15) days after the notice of benefit liability was sent by the department
 8 to the employer, asks for a hearing before a liability administrative law
 9 judge, the determination shall be final and benefits paid shall be
 10 charged in accordance with the determination.

11 (c) An employing unit, including an employer, having knowledge
 12 of any facts which may affect an individual's eligibility or right to
 13 waiting period credits or benefits, shall notify the department in the
 14 form and manner prescribed by the department of those facts within ten
 15 (10) days after the claim for benefits was sent by the department.

16 (d) In addition to the foregoing determination of insured status by
 17 the department, the deputy shall, throughout the benefit period,
 18 determine the claimant's eligibility with respect to each week for which
 19 the claimant claims waiting period credit or benefit rights, the validity
 20 of the claimant's claim, and the cause for which the claimant left the
 21 claimant's work, or may refer the claim to an administrative law judge
 22 who shall make the initial determination in accordance with the
 23 procedure in section 3 of this chapter.

24 (e) In cases where the claimant's benefit eligibility or
 25 disqualification is disputed, the department shall promptly notify the
 26 claimant and the employer or employers directly involved or connected
 27 with the issue raised as to the validity of the claim, the eligibility of the
 28 claimant for waiting period credit or benefits, or the imposition of a
 29 disqualification period or penalty, or the denial of the claim, and of the
 30 cause for which the claimant left the claimant's work, of the
 31 determination and the reasons for the determination.

32 (f) Except as otherwise provided in this section regarding parties
 33 located in Alaska, Hawaii, and Puerto Rico, unless the claimant or the
 34 employer, within fifteen (15) days after the notification required by
 35 subsection (e), was sent by the department to the claimant or the
 36 employer, asks for a hearing before an administrative law judge, the
 37 decision shall be final and benefits shall be paid or denied in
 38 accordance with the decision.

39 (g) For a notice of disputed administrative determination or
 40 decision sent by the department to the claimant or employer either of
 41 whom is located in Alaska, Hawaii, or Puerto Rico, unless the claimant
 42 or employer, within fifteen (15) days after the notification required by

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1 subsection (e) was sent to the claimant or employer, asks for a hearing
 2 before an administrative law judge, the decision shall be final and
 3 benefits shall be paid or denied in accordance with the decision.

4 (h) If a claimant or an employer requests a hearing under
 5 subsection (f) or (g), the request shall be filed with the department
 6 within the prescribed periods provided in this section and shall be in
 7 the form and manner prescribed by the department. In the event a
 8 hearing is requested by an employer or the department after it has been
 9 administratively determined that benefits should be allowed to a
 10 claimant, entitled benefits shall continue to be paid to the claimant
 11 unless the administrative determination has been reversed by a due
 12 process hearing. Benefits with respect to any week not in dispute shall
 13 be paid promptly regardless of any appeal.

14 (i) A person may not participate on behalf of the department in any
 15 case in which the person is an interested party.

16 (j) Solely on the ground of obvious administrative error appearing
 17 on the face of an original determination, and within the benefit year of
 18 the affected claims, the commissioner, or a representative authorized
 19 by the commissioner to act in the commissioner's behalf, may
 20 reconsider and direct the deputy to revise the original determination so
 21 as to correct the obvious error. Time for filing an appeal and requesting
 22 a hearing before an administrative law judge regarding the
 23 determinations handed down pursuant to this subsection shall begin on
 24 the date following the date of revision of the original determination and
 25 shall be filed with the commissioner in the form and manner prescribed
 26 by the department within the prescribed periods provided in subsection
 27 (c).

28 (k) Notice to the employer and the claimant that the determination
 29 of the department is final if a hearing is not requested shall be
 30 prominently displayed on the notice of the determination which is sent
 31 to the employer and the claimant.

32 (l) If an allegation of the applicability of IC 22-4-15-1(c)(8) is
 33 made by the individual at the time of the claim for benefits, the
 34 department shall not notify the employer of the claimant's current
 35 address or physical location.

36 (m) All individuals who have not previously verified their identity
 37 with the department shall, prior to filing a new claim for unemployment
 38 benefits, verify their identity in the form and manner prescribed by the
 39 department.

40 (n) An individual is ineligible for unemployment benefits or
 41 extended benefits unless the individual has verified the individual's
 42 identity in the form and manner prescribed by the department.

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- 1 **(o) The date listed under date sent on a determination of**
- 2 **eligibility issued under this section is prima facie evidence that the**
- 3 **determination was sent to the party on that date.**

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