

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|---|--|---------------------------------------|--|--|
| Subject: Conflict of Interest – The Department has undergone organizational changes. As a result of these changes, the Conflict of Interest Code does not accurately identify the Department’s employee positions or classifications required to file financial disclosure statements pursuant to Government Code Sections 87100-87102. The amendment to the regulation will satisfy the requirements placed on the Department under the Political Reform Act which requires the Department to amend its Conflict of Interest Code when necessary due to changed circumstances. | | CCR Title & Sections Affected: Title 22, CCR, Section 311-1 | | Statute(s) Being Implemented: Government Code, Sections 87300 and 87306 | |
| Responsible Agency Unit: Legal Office | Contact Person & Phone Number: Stella Ulm (916) 654-8410 | Projected Dates: | | | |
| | | Notice Published: 6/13 | Public Hearing: 5/15 | Adoption by your agency: 7/15 | To OAL for review: 7/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. Notice of Amendments to the Conflict of Interest Code was published on June 21, 2013. The Department is in the process of promulgating the amendments. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|---|---|------------------------------------|--|---------------------------------------|
| Subject: Mandatory completion of the Department of Labor's Bureau of Labor Statistics Occupation Employment Statistics survey. | | CCR Title & Sections Affected: Title 22, CCR, Section 320.5 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 320.5 | |
| Responsible Agency Unit: Labor Market Information Division Division Leadership and Support Group | Contact Person & Phone Number: Spencer Wong (916) 651-6417 Cynthia Solorio (916) 651-6403 | Projected Dates: | | | |
| | | Notice Published: 9/15 | Public Hearing: 10/15 | Adoption by your agency: 12/15 | To OAL for review: 12/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|---|---|-----------------------------------|--|--------------------------------------|
| Subject: Specific Application of Rules for Determinations of Individuals Excluded from Employment – Elected Officials 634.5(c)(1)-1. Elected Official | | CCR Title & Sections Affected: Title 22, CCR, Section 634.5(c)(1)-1 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 634.5 | |
| Responsible Agency Unit: Tax Branch, Field Audit & Compliance Division | Contact Person & Phone Number: James Mendoza (209) 726-5451 | Projected Dates: | | | |
| | | Notice Published: 4/15 | Public Hearing: 5/15 | Adoption by your agency: 7/15 | To OAL for review: 7/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. This regulation has been drafted and is still under review. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|--|----------------------------------|---|---|
| Subject: Taxable Value of Meals and Lodging – 2012 926-3. Taxable Value of Board and Lodging 926-4. Taxable Value of Meals and Quarters Furnished Officers and Crewmen Aboard Vessels 926-5. Taxable Value of Meals and Quarters Received by Fishermen Aboard Fishing Vessels | | CCR Title & Sections Affected: Title 22, CCR, Sections 926-3, 926-4 and 926-5 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 926 | |
| Responsible Agency Unit: Tax Branch, Field Audit & Compliance Division | Contact Person & Phone Number: James Mendoza (209) 726-5451 | | Projected Dates: | | |
| | | | Notice Published: 5/15 | Public Hearing: 6/15 | Adoption by your agency: 8/15 |
| | | | | | To OAL for review: 8/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. This regulation has been drafted and is pending further review. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|---|--|--|---------------------------------------|---|--|
| Subject: Taxable Value of Meals and Lodging – 2013 Amend sections to establish formula for adjusting rates annually 926-3. Taxable Value of Board and Lodging 926-4. Taxable Value of Meals and Quarters Furnished Officers and Crewmen Aboard Vessels 926-5. Taxable Value of Meals and Quarters Received by Fishermen Aboard Fishing Vessels | | CCR Title & Sections Affected: Title 22, CCR, Sections 926-3, 926-4 and 926-5 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 926 | |
| Responsible Agency Unit: Tax Branch, Field Audit & Compliance Division | Contact Person & Phone Number: James Mendoza (209) 726-5451 | Projected Dates: | | | |
| | | Notice Published: 5/15 | Public Hearing: 6/15 | Adoption by your agency: 8/15 | To OAL for review: 8/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. This regulation has been drafted and is pending further review. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|---|--|--|---------------------------------------|---|--|
| Subject: Taxable Value of Meals and Lodging – 2014 Amend sections to establish formula for adjusting rates annually 926-3. Taxable Value of Board and Lodging 926-4. Taxable Value of Meals and Quarters Furnished Officers and Crewmen Aboard Vessels 926-5. Taxable Value of Meals and Quarters Received by Fishermen Aboard Fishing Vessels | | CCR Title & Sections Affected: Title 22, CCR, Sections 926-3, 926-4 and 926-5 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 926 | |
| Responsible Agency Unit: Tax Branch, Field Audit & Compliance Division | Contact Person & Phone Number: James Mendoza (209) 726-5451 | Projected Dates: | | | |
| | | Notice Published: 5/15 | Public Hearing: 6/15 | Adoption by your agency: 8/15 | To OAL for review: 8/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. This regulation has been drafted and is pending further review. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|---|--|--|---------------------------------------|---|--|
| Subject: Taxable Value of Meals and Lodging – 2015 Amend sections to establish formula for adjusting rates annually 926-3. Taxable Value of Board and Lodging 926-4. Taxable Value of Meals and Quarters Furnished Officers and Crewmen Aboard Vessels 926-5. Taxable Value of Meals and Quarters Received by Fishermen Aboard Fishing Vessels | | CCR Title & Sections Affected: Title 22, CCR, Sections 926-3, 926-4 and 926-5 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 926 | |
| Responsible Agency Unit: Tax Branch, Field Audit & Compliance Division | Contact Person & Phone Number: James Mendoza (209) 726-5451 | Projected Dates: | | | |
| | | Notice Published: 5/15 | Public Hearing: 6/15 | Adoption by your agency: 8/15 | To OAL for review: 8/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. This regulation has been drafted and is pending further review. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|--|---------------------------------------|---|--|
| Subject: Filing of Returns and Payment of Taxes 927-1. Tips as Wages 929-1. Allowance for Traveling, Automobile, and Other Business Expenses 931.5-1. Third Party Sick Pay 1088-1. Filing of Reports, Returns, and Payroll Tax Deposits with Payment of Taxes—General 1088-2. Reports and Returns Covering Seamen Employed Under Shipping Articles 1088-3. Reports Covering Wages Due and Unpaid 1114-1. Wage Item Penalty 3267-1. Reports from Voluntary Plans | | CCR Title & Sections Affected: Title 22, CCR, Sections 927-1, 929-1, 931.5-1, 1088-1, 1088-2, 1088-3, 1114-1 and 3267-1 | | Statute(s) Being Implemented: Unemployment Insurance Code, Sections 927, 929, 931.5, 1088, 1114 and 3267 | |
| Responsible Agency Unit: Tax Branch, Field Audit & Compliance Division | Contact Person & Phone Number: James Mendoza (209) 726-5451 | Projected Dates: | | | |
| | | Notice Published: 4/15 | Public Hearing: 5/15 | Adoption by your agency: 7/15 | To OAL for review: 7/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. This regulation has been drafted and is still under review. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|---|---------------------------------------|--|---|
| Subject: Relief of employer charges: Add a new section to clarify when an employer’s reserve account will not be relieved of charges due to a benefit overpayment when the employer, or an agent of the employer, was at fault for failing to respond timely or adequately to requests for information relating to an unemployment insurance claim. | | CCR Title & Sections Affected: Title 22, CCR, Section 1026-2 (new) | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 1026.1 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | | |
|---|--|---|---|--|--|--|
| Subject: Reporting a Newly Hired Employee Amend current regulation section relating to the Federal Trade Adjustment Assistance Extension Act of 2011 (Public Law 112-40). | | CCR Title & Sections Affected: Title 22, CCR, Section 1088.5-1 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 1088.5 | | |
| Responsible Agency Unit: Tax Branch Field Audit & Compliance Division | Contact Person & Phone Number: James Mendoza (209) 726-5451 | | Projected Dates: | | | |
| | | | Notice Published: 4/15 | Public Hearing: 5/15 | Adoption by your agency: 7/15 | To OAL for review: 7/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department's 2014 calendar. This regulation has been drafted and is still under review. | | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|--|---------------------------------------|--|---|
| Subject: Certification for Benefits Amend sections to include Unemployment Insurance benefit certification by telephone and Internet, and all related procedures, including the use of “digital” signatures. | | CCR Title & Sections Affected: Title 22, CCR, Sections 1251-1; 1279.5-1; 1279.5-2; 1279.5-5; 1279.5-6; 1326-1; 1326-4; 1326-5; 1326-6; 1326-7; 1326-8; and 1341-1 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 1326 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | | Projected Dates: | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|---|--|--|---------------------------------------|--|---|
| Subject: Section 1326, Electronic Benefit Payments Amend these sections to: (1) change the definitions of “benefits,” “received,” and “payment,” (2) change the references from mailing a benefit check to the claimant or being paid a benefit to authorizing payment to the claimant, and (3) add a new section to prescribe how benefits will be paid. These changes allow for the electronic benefit payments whereby: (1) claimants receive benefits via debit card deposits and (2) the payment authorization constitutes payment or receipt of benefits for the purposes of establishing an overpayment or meeting claim cancellation criteria. | | CCR Title & Sections Affected: Title 22, CCR, Sections 1251-1, 1326 – 1(b)(2), 1326-1(b)(3), 1326-6(b), and 1339 (new), 1375-1(a), 1375-1(a)(2), 1375-1(c), 1375-1(c)(3), 1375-1(c)(3) Example 1, 4 & 5 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 1339 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|---|---------------------------------------|--|---|
| Subject: Week of Unemployment Amend this section to remove the requirement to report in person to an employment office and to replace it with adhering to UI reporting instructions as required by the UI program to qualify for a week of unemployment. Also, amend this section to include the acceptance of a UI application between 12:01 a.m. Sunday morning through 12 midnight of the subsequent Saturday. | | CCR Title & Sections Affected: Title 22, CCR, Section 1253-2 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 1253 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department's 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|---|--|---|---------------------------------------|--|---|
| Subject: School recess periods: Add a new section to clarify the use of base period wages earned from school or school supportive employment to establish monetary entitlement for an unemployment insurance claim during a school recess period when a claimant has reasonable assurance. Add a new section to clarify school recess periods. | | CCR Title & Sections Affected: Title 22, CCR, Section 1253.3 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 1253.3 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department's 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|--|---------------------------------------|---|---|
| Subject: Imminent Domestic Partnership (Assembly Bill 2055, Chapter 590, Statutes of 2010) Amend the section to provide that claimants who leave work to follow or to join an imminent domestic partner to a location, or at a location, where the commute is impracticable, are deemed to have left work for compelling reasons. Amend the section pertaining to rulings for employers with reserve accounts whose employees have left work to accompany or join a domestic partner with whom a registered domestic partnership is imminent. | | CCR Title & Sections Affected: Title 22, CCR, Sections 1256-9, 1030 (a)-1 | | Statute(s) Being Implemented: Unemployment Insurance Code, Sections 1256, 1030, and 1032 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|---|---------------------------------------|---|---|
| Subject: Leaving Work to Protect from Domestic Violence (Assembly Bill 2364, Chapter 678, Statutes of 2010) Amend the current section to provide that claimants who leave work to protect themselves or their families from domestic violence abuse will have good cause for leaving work. Amend the current section pertaining to rulings for employers with reserve accounts whose employees have left work to protect themselves or their families from domestic violence abuse. | | CCR Title & Sections Affected: Title 22, CCR, Sections 1256-9 and 1030 (a)-1 | | Statute(s) Being Implemented: Unemployment Insurance Code, Sections 1256, 1030, and 1032 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|---|---------------------------------------|--|---|
| Subject: Benefit Year Add a new section to clarify the definition of a benefit year and to specify that individuals are allowed only one valid claim per 52-week period (i.e., one benefit year). | | CCR Title & Sections Affected: Title 22, CCR, Section 1276 (new) | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 1276 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department's 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|--|---------------------------------------|--|---|
| Subject: Alternate Base Period (ABP) (ABX3 29, Chapter 22, Statutes of 2009 and SB 856, Chapter 719, Statutes of 2010) Various sections of the California Code of Regulations need to be amended or added in order for EDD to clarify the provisions of the ABP program pursuant to California law. The ABP provisions applies to individuals who do not qualify for an unemployment insurance (UI) claim based on the current “standard” base period and who do qualify for a UI claim based on the “alternate” base period. | | CCR Title & Sections Affected: Title 22, CCR, Sections 1277.1 (new), 1277.5 (new), 1326-2, 1326-14 (new), 1329.5 (new), 1375-1 and 1375-2 (new) | | Statute(s) Being Implemented: Unemployment Insurance Code, Sections 1275, 1277.1, 1277.5 and 1329.5 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|---|---------------------------------------|--|---|
| Subject: Claim Cancellation Criteria Add new regulations to clarify Section 1329.1 of the California Unemployment Insurance Code regarding Unemployment Insurance claim cancellation criteria. | | CCR Title & Sections Affected: Title 22, CCR, Section 1329-1 (new) | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 1329.1 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department's 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|--|---|---------------------------------------|--|---|
| Subject: Elected Officials (Senate Bill 1211, Chapter 222, Statutes of 2010) This legislation specifies that a state or local government elected official who is overpaid unemployment insurance benefits as a result of incorrectly reported income derived from employment as an elected official, shall be assessed an overpayment without a penalty and without waiver consideration and subject to summary judgment if not repaid. Amend and add regulations to mirror Sections 1375.7 and 1379 of the California Unemployment Insurance Code regarding new overpayment and recovery provisions for elected officials. | | CCR Title & Sections Affected: Title 22, CCR, Sections 1375-1 and 1379 (new) | | Statute(s) Being Implemented: Unemployment Insurance Code, Sections 1375.7 and 1379 | |
| Responsible Agency Unit: Unemployment Insurance Branch | Contact Person & Phone Number: Cathy Barratt (916) 654-7323 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department’s 2014 calendar. No rulemaking was commenced on this item due to other Unemployment Insurance Branch priorities and insufficient staff resources. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|---|---|---------------------------------------|--|---|
| Subject: State Disability Insurance - Effective July 1, 2014, Senate Bill 770 (Chapter 350, Statutes 2013) will expand the scope of the Paid Family Leave program to provide benefits to eligible workers who take time off work to care for a seriously ill grandparent, grandchild, sibling, or parent-in-law. Establish definitions for grandparent, grandchild, sibling, and parent-in-law to clarify the scope of these family members and make other corresponding changes, as necessary. | | CCR Title & Sections Affected: Title 22, CCR, Amend Sections 2706-2(b), 2706-7(c)(1), 2708(b)-1(a), 3302-1(o), 3302-1(v) and 3302-2(a)(2)(D) | | Statute(s) Being Implemented: Unemployment Insurance Code, Sections 2708, 3300, 3301, 3302 and 3303 | |
| Responsible Agency Unit: Disability Insurance Branch | Contact Person & Phone Number: Tuyen Nguyen (916) 653-4742 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking item was reported in the Department's 2014 calendar. This regulation has been drafted and is still under review. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | | | | | |
|--|---|---|---|--|--|---|---|---|---|
| <p>Subject:</p> <p>State Disability Insurance (SDI) – Establish criteria for determining timeliness of a SDI benefit payment pending an appeal when the envelope with a postmark date is not retained. Clarify that the postmark date is calculated by counting back five business days from the receipt date.</p> <p>State Disability Insurance – Establish criteria for determining whether wages received for annual leave or paid time off are in conflict with receipt of SDI benefits. Define the terms “annual leave” and “paid time off.”</p> <p>State Disability Insurance – Clarify the date a claim begins by defining “...periods of disability commencing on or after January 1...” to determine if the claimant is eligible for any statutory increase in SDI benefits.</p> | | <p>CCR Title & Sections Affected:</p> <p>Title 22, CCR, Amend Sections 2706-5 and 2706-7</p> <p>Title 22, CCR, Adopt Section 2656-1, Amend Sections 2601-1 and 3302-1</p> <p>Title 22, CCR, Adopt Section 2655(d) - 1</p> | | <p>Statute(s) Being Implemented:</p> <p>Unemployment Insurance Code, Section 2706</p> <p>Unemployment Insurance Code, Sections 2601, 2656 and 3302</p> <p>Unemployment Insurance Code, Section 2655</p> | | | | | |
| <p>Responsible Agency Unit:</p> <p>Disability Insurance Branch</p> | <p>Contact Person & Phone Number:</p> <p>Tuyen Nguyen (916) 653-4742</p> | <p align="center">Projected Dates:</p> <table border="1"> <tr> <td> <p>Notice Published:</p> <p>7/15</p> </td> <td> <p>Public Hearing:</p> <p>8/15</p> </td> <td> <p>Adoption by your agency:</p> <p>10/15</p> </td> <td> <p>To OAL for review:</p> <p>10/15</p> </td> </tr> </table> | | | | <p>Notice Published:</p> <p>7/15</p> | <p>Public Hearing:</p> <p>8/15</p> | <p>Adoption by your agency:</p> <p>10/15</p> | <p>To OAL for review:</p> <p>10/15</p> |
| <p>Notice Published:</p> <p>7/15</p> | <p>Public Hearing:</p> <p>8/15</p> | <p>Adoption by your agency:</p> <p>10/15</p> | <p>To OAL for review:</p> <p>10/15</p> | | | | | | |
| <p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>These rulemaking items were reported in the Department’s 2014 calendar. No rulemaking was commenced on these items due to other Branch priorities.</p> | | | | | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|---|---|---|---------------------------------------|--|---|
| Subject: *State Disability Insurance - Establish authority for electronic transmission of appeals to the California Unemployment Insurance Appeals Board. Define how the timeliness period for an appeal is calculated. State Disability Insurance – Delineate requirements to specify when a claimant may/may not cancel and re-file a claim to establish a higher base period. | | CCR Title & Sections Affected: Title 22, CCR, Amend Sections 2706-4 and 2707.2-1 Title 22, CCR, Adopt Section 2652-2 | | Statute(s) Being Implemented: Unemployment Insurance Code, Sections 2706 and 2707.2 Unemployment Insurance Code, Section 2652 | |
| Responsible Agency Unit: Disability Insurance Branch | Contact Person & Phone Number: Tuyen Nguyen (916) 653-4742 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: These rulemaking items were reported in the Department’s 2014 calendar. No rulemaking was commenced on these items due to other Branch priorities. *This rulemaking item regarding electronic transmission of appeals is being withdrawn by the Department. The Department may submit this item in the future. | | | | | |

**EMPLOYMENT DEVELOPMENT DEPARTMENT
2015 RULEMAKING CALENDAR**

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2014

| | | | | | |
|--|---|---|---------------------------------------|--|---|
| Subject: State Disability Insurance - CUIC Section 3255 authorizes the Director of EDD to approve Voluntary Plans (VP) for payment of disability benefits to employees that work for several employers in the same industry interchangeably during the course of the year if a majority of the employers elect to establish the plan and have appointed an Agent under CUIC Section 1096. Currently, CCR, Title 22 does not provide regulatory criteria for establishing a Master VP under CUIC Section 3255. | | CCR Title & Sections Affected: Title 22, CCR, Adopt Section 3255 | | Statute(s) Being Implemented: Unemployment Insurance Code, Section 3255 | |
| Responsible Agency Unit: Disability Insurance Branch | Contact Person & Phone Number: Tuyen Nguyen (916) 653-4742 | Projected Dates: | | | |
| | | Notice Published: 7/15 | Public Hearing: 8/15 | Adoption by your agency: 10/15 | To OAL for review: 10/15 |
| Report on the status of all uncompleted rulemaking described on previous calendars: | | | | | |