

**IDAPA 09 – IDAHO DEPARTMENT OF LABOR**

**09.01.30 – UNEMPLOYMENT INSURANCE BENEFITS ADMINISTRATION RULES**

**DOCKET NO. 09-0130-1903**

**(SECOND) NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 72-1333, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held as follows:

<b>PUBLIC MEETING</b>	
<b>Wednesday, July 10, 2019 1:30 p.m. – 4:30 p.m. (MDT)</b>	
<b>Idaho Department of Labor 317 Main Street Boise, ID 83735</b>	
<b>*Via VIDEO TELECONFERENCE* (same date and time as above) At the following Department of Labor locations:</b>	
<b>Kootenai County Local Office 600 N. Thornton Street Post Falls, ID 83854</b>	<b>Lewiston Local Office 1158 Idaho Street Lewiston, ID 83501</b>
<b>Magic Valley Local Office 420 Falls Avenue Twin Falls, ID 83301</b>	<b>Pocatello Local Office 430 N. 5<sup>th</sup> Avenue Pocatello, ID 83205</b>
<b>Idaho Falls Local Office 1515 E. Lincoln Road Idaho Falls ID 83401</b>	

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate may submit any written comments for the record, questions, recommendations, or ideas to the Idaho Department of Labor addressed to [Josh.McKenna@labor.idaho.gov](mailto:Josh.McKenna@labor.idaho.gov). Individuals may also attend the public meeting to be conducted on the above date during which the Idaho Department of Labor will allow oral comments. Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

**DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The intended changes to IDPA 09.01.30 will:

1. Clarify unemployment insurance benefit eligibility for individuals with disabilities is determined by Idaho law;
2. Identify unemployment insurance claimants as responsible for providing competent evidence they are qualified individuals with disabilities under the Americans with Disabilities Act; and
3. Remove language concerning long- term disability inconsistent with the definition of disability under the Americans with Disabilities Act.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Josh McKenna, (208)332-3577 x3919. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Department of Labor's web site at the following web address: <https://www.labor.idaho.gov/dnn/Administrative-Rule-Changes/Unemployment-Rule-Changes>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 9, 2019.

Dated this 5th day of June, 2019.

Josh McKenna  
UI Benefits Bureau Chief  
Idaho Department of Labor/ UI Division  
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Boise ID 83735  
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Fax: (208) 639-3256