

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH SESSION**

**S.F. No. 2563**

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DATE	D-PG	OFFICIAL STATUS
03/12/2014	6160	Introduction and first reading Referred to Jobs, Agriculture and Rural Development

A bill for an act

1.1 relating to unemployment insurance; modifying definitions; modifying time  
 1.2 period for appeal deadlines; amending Minnesota Statutes 2012, section 268.085,  
 1.3 subdivision 15.  
 1.4

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 268.085, subdivision 15, is amended to read:

1.7 Subd. 15. **Available for suitable employment defined.** (a) "Available for suitable  
 1.8 employment" means an applicant is ready, willing, and able to accept suitable employment.  
 1.9 The attachment to the work force must be genuine. An applicant may restrict availability to  
 1.10 suitable employment, but there must be no other restrictions, either self-imposed or created  
 1.11 by circumstances, temporary or permanent, that prevent accepting suitable employment.

1.12 (b) An applicant who, because of illness or injury, was not able or is no longer able  
 1.13 to perform the duties of the applicant's most recent employment or the applicant's usual  
 1.14 occupation, is available for suitable employment if the applicant:

1.15 (1) is able to perform the duties of other employment engaged in by others as a  
 1.16 means of livelihood; and

1.17 (2) is willing to accept that other employment.

1.18 (c) Unless the applicant is in reemployment assistance training, to be considered  
 1.19 "available for suitable employment," a student who has regularly scheduled classes must  
 1.20 be willing to discontinue classes to accept suitable employment when:

1.21 (1) class attendance restricts the applicant from accepting suitable employment; and

1.22 (2) the applicant is unable to change the scheduled class or make other arrangements  
 1.23 that excuse the applicant from attending class.

2.1           ~~(e)~~ (d) An applicant who is absent from the labor market area for personal reasons,  
2.2 other than to search for work, is not "available for suitable employment."

2.3           ~~(d)~~ (e) An applicant who has restrictions on the hours of the day or days of the week  
2.4 that the applicant can or will work, that are not normal for the applicant's usual occupation  
2.5 or other suitable employment, is not "available for suitable employment." An applicant  
2.6 must be available for daytime employment, if suitable employment is performed during  
2.7 the daytime, even though the applicant previously worked the night shift.

2.8           Sec. 2. **REVISOR'S INSTRUCTION.**

2.9           The revisor of statutes shall change all appeal deadlines from "20 calendar days" to  
2.10 "45 calendar days" where that appeal deadline appears in Minnesota Statutes, chapter 268.