

Prior law, relative to unemployment compensation, provided for three exceptions to the requirement that unemployment benefits paid are included in the experience rating records of employers.

New law provides for a fourth exception stating that when the payment of benefits is caused by an act or omission of a third party, such benefits shall not be included in the experience rating of such employer.

New law provides that such a determination of fault of a third party shall be determined in accordance with the Oil Pollution Act, 33 U.S.C. 2701, et seq.

New law requires that the amount of both regular and extended benefits paid out due to the fault of a third party or parties shall be reimbursed by the responsible third party or parties.

New law provides relative to employers who directly reimburse the Unemployment Trust Fund for benefits paid to their employees, and new law states that these employers shall also be repaid by the responsible third party or parties.

New law is remedial in nature and shall be retroactively applied back to January 1, 2010.

Effective August 15, 2011.

(Amends R.S. 23:1533 and 1552(E))