

CODIFICATION

In subsec. (f), “Courts of Appeals”, “United States court of appeals for the circuit”, “United States Court of Appeals for the Seventh Circuit” substituted for “Circuit Courts of Appeals”, “United States circuit court of appeals for the circuit”, and “United States Circuit Court of Appeals for the Seventh Circuit”, respectively, on authority of act June 25, 1948, §32(a), as amended by act May 24, 1949, §127. “United States Court of Appeals for the District of Columbia” substituted for “Court of Appeals for the District of Columbia” pursuant to act June 7, 1934, ch. 426, 48 Stat. 926.

AMENDMENTS

1988—Subsec. (b). Pub. L. 100-647, §7104(a), inserted at end “When a claim for benefits is filed with the Board, the Board shall provide notice of such claim to the claimant’s base-year employer or employers and afford such employer or employers an opportunity to submit information relevant to the claim before making an initial determination on the claim. When the Board initially determines to pay benefits to a claimant under this chapter, the Board shall provide notice of such determination to the claimant’s base-year employer or employers.”

Subsec. (c)(1). Pub. L. 100-647, §7401(b)(1), (2), inserted “(1)” after “(c)” and inserted at end “In any such case the Board or the person or reviewing body so established or assigned shall, by publication or otherwise, notify all parties properly interested of their right to participate in the hearing and of the time and place of the hearing.”

Subsec. (c)(2). Pub. L. 100-647, §7104(b)(3), inserted “(2)” before “Any claimant whose claim”.

Subsec. (c)(3). Pub. L. 100-647, §7104(b)(4), added par. (3).

Subsec. (c)(4). Pub. L. 100-647, §7104(b)(5), inserted “(4)” before “In any case in which”.

Subsec. (c)(5). Pub. L. 100-647, §7104(b)(6), (7), inserted “(5)” before “Final decision of the Board” and substituted “preceding three paragraphs” for “preceding two paragraphs”.

Subsec. (c)(6). Pub. L. 100-647, §7104(b)(8), added par. (6).

Subsec. (c)(7). Pub. L. 100-647, §7104(b)(9), inserted “(7)” before “Any issue determinable”.

Subsec. (f). Pub. L. 100-647, §7104(c), inserted “or any base-year employer of the claimant,” after “member,” and inserted after second sentence “A copy of such petition also shall forthwith be served upon any other properly interested party, and such party shall be a party to the review proceeding.”

1984—Subsec. (f). Pub. L. 98-620 struck out provision requiring court to give precedence in adjudication of petition over all other civil cases not otherwise entitled by law to precedence.

1981—Subsec. (f). Pub. L. 97-35 substituted “Within thirty days” for “Within fifteen days”.

1958—Subsec. (f). Pub. L. 85-791, in fourth sentence, struck out “certify and” after “shall” and “a transcript of” after “filed”, and inserted “as provided in section 2112 of title 28”; in fifth sentence, substituted “the filing of such petition” for “such filing”; in sixth sentence, struck out “upon the pleadings and transcript of the record,” after “enter”; and in eighth sentence struck out “a transcript of” before “the additional record”.

1946—Subsec. (c). Act July 31, 1946, §311, struck out provisions for district boards, placing their functions in referees or such other reviewing bodies as Board may establish; changed third par. to allow Board to determine if a person or company is covered by this chapter regardless of whether or not benefit claims are pending; and added last par.

Subsec. (d). Act July 31, 1946, §312, changed references to district boards to refer to reviewing bodies.

Subsec. (e). Act July 31, 1946, §313, struck out provisions restricting subsection to proceedings on a claim for benefits.

Subsec. (f). Act July 31, 1946, §314, changed first sentence to provide for review by circuit courts of appeals instead of district courts.

Subsec. (g). Act July 31, 1946, §315, inserted reference to determination of any other matter pursuant to subsec. (c) of this section.

Subsec. (i). Act July 31, 1946, §316, extended provisions to other properly interested persons besides a claimant.

1940—Subsec. (c). Act Oct. 10, 1940, substituted provisions relating to a fair hearing for each qualified employee for provisions relating to a fair hearing for each claimant, and added paragraphs relating to review for claimants denied benefits on basis of not being a qualified employee or awarded benefits at an improper rate, payment of benefits to employees of noncomplying employers, and final decisions of Board.

EFFECTIVE DATE OF 1988 AMENDMENT

Section 7104(f) of Pub. L. 100-647 provided that: “The amendments made by this section [amending this section and section 362 of this title] shall take effect on January 1, 1990.”

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-620 not applicable to cases pending on Nov. 8, 1984, see section 403 of Pub. L. 98-620, set out as a note under section 1657 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, and applicable only with respect to annuities awarded on or after that date, see section 1129 of Pub. L. 97-35, set out as a note under section 231 of this title.

EFFECTIVE DATE OF 1946 AMENDMENT

Amendment by act July 31, 1946, effective July 31, 1946, see section 401 of act July 31, 1946.

EFFECTIVE DATE OF 1940 AMENDMENT

For effective date of amendment by act Oct. 10, 1940, see section 1 of act Oct. 10, 1940, set out as a note under section 351 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 362 of this title.

§ 355a. Acceptance of claims for benefits

Whenever there is duly tendered to the Board, by any person, any claim for unemployment compensation pursuant to the Railroad Unemployment Insurance Act [45 U.S.C. 351 et seq.], such claim shall be accepted by the Board without delay and appropriate administrative action for the allowance or disallowance of such claim shall be taken by the Board at the earliest practicable time.

(June 29, 1956, ch. 477, title V, §501, 70 Stat. 437.)

REFERENCES IN TEXT

The Railroad Unemployment Insurance Act, referred to in text, is act June 25, 1938, ch. 680, 52 Stat. 1094, as amended, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 367 of this title and Tables.

CODIFICATION

Section was enacted as part of act June 29, 1956, popularly known as the Departments of Labor, and Health, Education, and Welfare, Appropriation Act, 1957, and not as a part of the Railroad Unemployment Insurance Act which comprises this chapter.

PRIOR PROVISIONS

Similar provisions were contained in the following prior appropriation act: Aug. 1, 1955, ch. 437, title V, §501, 69 Stat. 411.