

By Representatives Frankel, Chestnut and Dockery

1 A bill to be entitled
2 An act relating to unemployment compensation;
3 amending s. 443.101, F.S.; specifying domestic
4 violence as an additional criterion of "good
5 cause" for purposes of an exception from
6 disqualification from certain benefits for
7 separating from employment; providing grounds
8 for separating from employment due to domestic
9 violence; providing for confidentiality of
10 evidence of domestic violence; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (a) of subsection (1) of section
16 443.101, Florida Statutes, is amended to read:

17 443.101 Disqualification for benefits.--An individual
18 shall be disqualified for benefits:

19 (1)(a) For the week in which he or she has voluntarily
20 left his or her work without good cause attributable to his or
21 her employing unit or in which the individual has been
22 discharged by his or her employing unit for misconduct
23 connected with his or her work, if so found by the division.
24 The term "work," as used in this paragraph, means any work,
25 whether full-time, part-time, or temporary.

26 1. Disqualification for voluntarily quitting shall
27 continue for the full period of unemployment next ensuing
28 after he or she has left his or her work voluntarily without
29 good cause and until such individual has earned income equal
30 to or in excess of 17 times his or her weekly benefit amount;
31 "good cause" as used in this subsection shall include only

1 such cause as is attributable to the employing unit or which
2 consists of illness or disability of the individual requiring
3 separation from his or her work or an individual's separation
4 from employment due to circumstances directly resulting from
5 the individual's experience of domestic violence. An
6 individual shall not be disqualified under this subsection for
7 voluntarily leaving temporary work to return immediately when
8 called to work by the permanent employing unit that
9 temporarily terminated his or her work within the previous 6
10 calendar months.

11 a. An employee's separation from employment shall be
12 treated as due to circumstances directly resulting from the
13 individual's experience of domestic violence if the separation
14 resulted from:

15 (I) The employee's reasonable fear of future domestic
16 violence at or en route to or from the employee's place of
17 employment;

18 (II) The employee's wish to relocate to another
19 geographic area in order to avoid future domestic violence
20 against the employee or the employee's family;

21 (III) The employee's need to recover from traumatic
22 stress resulting from the employee's experience of domestic
23 violence; or

24 (IV) Any other circumstance in which domestic violence
25 causes the employee to reasonably believe that termination of
26 employment is necessary for the future safety of the employee
27 or the employee's family.

28 b. All evidence of domestic violence experienced by an
29 employee, including an employee's statement, any corroborating
30 evidence, and the fact that an employee has applied for or
31 inquired about unemployment compensation shall be retained in

1 the strictest confidence by the division, except to the extent
2 the employee gives consent when disclosure is necessary to
3 protect the employee's safety.

4 2. Disqualification for being discharged for
5 misconduct connected with his or her work shall continue for
6 the full period of unemployment next ensuing after having been
7 discharged and until such individual has become reemployed and
8 has earned income not less than 17 times his or her weekly
9 benefit amount and for not more than 52 weeks which
10 immediately follow such week, as determined by the division in
11 each case according to the circumstances in each case or the
12 seriousness of the misconduct, pursuant to rules of the
13 division enacted for determinations of disqualification for
14 benefits for misconduct.

15 Section 2. This act shall take effect October 1, 1999.

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18 HOUSE SUMMARY

19 Specifies domestic violence as an additional criterion of
20 "good cause" for purposes of an exception from
21 disqualification from unemployment benefits for
22 separating from employment. Provides grounds for
23 separating from employment due to domestic violence and
24 provides for confidentiality of evidence of domestic
25 violence.
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