

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Kyle offered the following:

**Substitute Amendment for Amendment (182513) (with title amendment)**

Remove from the bill: Everything after the enacting clause and insert in lieu thereof:

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

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

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

1. Disqualification for voluntarily quitting shall continue for the full period of unemployment next ensuing after he or she has left his or her full-time, part-time, or

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1 temporary work voluntarily without good cause and until such  
2 individual has earned income equal to or in excess of 17 times  
3 his or her weekly benefit amount. No other disqualification  
4 may be imposed. The term "good cause" as used in this  
5 subsection includes only such cause as is attributable to the  
6 employing unit or which consists of illness or disability of  
7 the individual requiring separation from his or her work or  
8 which consists of being a victim of domestic violence which  
9 results in being separated from work due to circumstances  
10 directly resulting from the individual's experience of  
11 domestic violence as defined in s. 414.0252. In addition, the  
12 victim must relocate to avoid the domestic violence.

13 a. An individual's separation from work shall be  
14 treated as due to circumstances directly resulting from the  
15 individual's experience of domestic violence if the individual  
16 establishes satisfactory proof, including corroborating  
17 evidence, which may include, but is not limited to, one of the  
18 following:

19 (I) A restraining order or equitable relief;

20 (II) Police record documenting domestic violence;

21 (III) Proof of conviction of the domestic violence

22 perpetrator;

23 (IV) Medical documentation of domestic violence; or

24 (V) Certification from a certified domestic violence

25 specialist that the individual is a domestic violence victim.

26 b. If an individual's separation from work is  
27 determined by the Division of Unemployment Compensation to be  
28 due to circumstances directly resulting from the individual's  
29 experience of domestic violence, an individual residing in  
30 Florida shall be referred to a certified domestic violence  
31 center to develop a plan to prepare the individual for

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1 self-sufficiency, while providing for the safety of the  
2 individual and the individual's dependents.

3 c. If an arrest has been made as the result of an  
4 incident alleging domestic violence, and the incident arising  
5 from that arrest is used to establish satisfactory proof of  
6 domestic violence pursuant to sub-subparagraph a., the  
7 employee shall be available and cooperate with the prosecution  
8 of the individual, in order to be eligible for unemployment  
9 compensation. If an alleged incident of domestic violence has  
10 occurred within the year preceding the employee's separation  
11 from work and the alleged incident is criminal in nature, the  
12 employee shall file a criminal complaint with law enforcement  
13 and the employee shall be available and cooperate with the  
14 prosecution of the individual.

15 d. Funding for unemployment compensation claims based  
16 upon domestic violence shall be made only if provided by  
17 specific appropriation in this act or in the General  
18 Appropriations Act specific to this purpose. The division must  
19 determine that no other qualifying conditions for unemployment  
20 compensation benefits exist prior to qualifying a victim of  
21 domestic violence for the benefits provided in this section.  
22 The division shall refer the domestic violence victim to the  
23 appropriate agency, organization, or domestic violence center  
24 that provides counseling and supportive services. These  
25 referrals shall be made in such a manner as to protect the  
26 individual's confidentiality.

27 e. ~~No other disqualification may be imposed.~~An  
28 individual shall not be disqualified under this subsection for  
29 voluntarily leaving temporary work to return immediately when  
30 called to work by the permanent employing unit that  
31 temporarily terminated his or her work within the previous 6

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1 calendar months.

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

13           Section 2. There is appropriated from the General  
14 Revenue Fund to the Department of Labor and Employment  
15 Security, Division of Unemployment Compensation, the sum of  
16 \$200,000 for the purpose of paying unemployment claims for  
17 victims of domestic violence as provided in s.  
18 443.101(1)(a)1., Florida Statutes.

19           Section 3. This act shall take effect July 1, 2000.

22 ===== T I T L E   A M E N D M E N T =====

23 And the title is amended as follows:

24           On page 1, line 7

26 after the semicolon, insert:

27           prescribing conditions; requiring satisfactory  
28           proof; requiring referral to a certified  
29           domestic violence center; conditioning payment  
30           of claims based on domestic violence upon  
31           specific appropriation; providing an

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appropriation;