

By Representative Cusack

1                                   A bill to be entitled  
2           An act relating to unemployment compensation  
3           for birth and adoption; creating s. 443.232,  
4           F.S.; prohibiting denial of unemployment  
5           compensation benefits for certain leaves of  
6           absence relating to adopting or giving birth to  
7           a baby; providing for reductions in the amount  
8           of compensation; requiring employers to post  
9           certain notices; specifying certain payments as  
10          not chargeable against employers; requiring the  
11          Secretary of the Department of Labor and  
12          Employment Security to report to the Governor  
13          and Legislature; providing application;  
14          providing an effective date.

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

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18           Section 1. Section 443.232, Florida Statutes, is  
19          created to read:

20                   443.232 Unemployment compensation for birth and  
21                   adoption.--

22                   (1) An individual who is on a leave of absence from  
23                   his or her employer or who left employment to be with the  
24                   individual's child during the first year of life, or during  
25                   the first year following placement with the individual for  
26                   adoption, shall not be denied compensation under provisions of  
27                   this chapter relating to voluntarily leaving employment,  
28                   availability for work, inability to work, or failure to  
29                   actively seek work.

30                   (2) The provisions of this chapter concerning the  
31                   reduction of the amount of compensation due to receipt of

1 disqualifying income shall apply to payments under this  
2 section. In addition, the following payments shall cause a  
3 reduction in the compensation amount:

4 (a) Any payment from the employer resulting from a  
5 birth or adoption described in subsection (1).

6 (b) Any payment resulting from a birth or adoption  
7 described in subsection (1) from a disability insurance plan  
8 contributed to by an employer, in proportion to the employer's  
9 contribution to such plan.

10 (3) Compensation is payable to an individual under  
11 this section for a maximum of 12 weeks with respect to any  
12 birth or placement for adoption.

13 (4) Each employer shall post at each site operated by  
14 the employer, in a conspicuous place accessible to all  
15 employees, information relating to the availability of  
16 unemployment compensation under this section.

17 (5) Any compensation paid under this section shall not  
18 be charged to the account of the individual's employer.

19 (6) Two years following the effective date of this  
20 section, the Secretary of the Department of Labor and  
21 Employment Security shall issue a report to the Governor, the  
22 President of the Senate, and the Speaker of the House of  
23 Representatives evaluating the effectiveness of the  
24 unemployment compensation program for birth and adoption.

25 (7) This section shall be applied consistent with  
26 rules adopted by the United States Department of Labor.

27 Section 2. This act shall take effect upon becoming a  
28 law.

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SENATE SUMMARY

Prohibits denying unemployment compensation benefits for leaves of absence relating to adopting or giving birth to a baby. Provides for reductions in the amount of unemployment compensation benefits. Requires employers to post notices of program availability. Specifies payments of unemployment compensation for births and adoptions as not chargeable against employers. Requires the Secretary of the Department of Labor and Employment Security to report to the Governor and Legislature on program effectiveness.