

By the Committee on Commerce and Economic Opportunities; and
Senator Wasserman Schultz

310-1509-01

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A bill to be entitled

An act relating to unemployment compensation for birth and adoption; creating s. 443.232, F.S.; prohibiting denial of unemployment compensation benefits for certain leaves of absence relating to giving birth to a baby or adopting a minor child; providing for reductions in the amount of compensation; requiring employers to post certain notices; specifying certain payments as not chargeable against employers; requiring the director of the Agency for Workforce Innovation to report to the Governor and Legislature; providing application; providing an effective date.

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

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

443.232 Unemployment compensation for birth and adoption.--

(1) Notwithstanding the provisions of s. 443.101(1)(a)1. and (c), an individual who is on a leave of absence from his or her employer or who left work to be with the individual's child during the first year of life, or during the first year following placement with the individual of a child under 18 years of age for adoption, shall not be denied compensation under provisions of this chapter relating to voluntarily quitting work, availability for work, inability to work, or failure to actively seek work.

1 (2) The provisions of this chapter concerning the
2 reduction of the amount of compensation due to receipt of
3 disqualifying income shall apply to payments under this
4 section. In addition, the following payments shall cause a
5 reduction in the compensation amount:

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

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

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

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

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

21 (6) Two years following the effective date of this
22 section, the director of the Agency for Workforce Innovation
23 within the Department of Management Services shall issue a
24 report to the Governor, the President of the Senate, and the
25 Speaker of the House of Representatives evaluating the
26 effectiveness of the unemployment compensation program for
27 birth and adoption.

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

30 Section 2. This act shall take effect upon becoming a
31 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 500

The committee substitute limits payment of unemployment compensation for an individual who takes a leave of absence or who leaves work to be with the individual's child during the first year after placement of the child with the individual for adoption to cases in which the child is under 18 years of age. The committee substitute also replaces the requirement that the Secretary of the Department of Labor and Employment Security issue a report to the Governor and Legislature with a requirement that the director of the Agency for Workforce Innovation issue the report.