

By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senators Wasserman Schultz and Diaz de la Portilla

310-1959-03

1 A bill to be entitled
 2 An act relating to economic recovery; providing
 3 legislative intent; providing criteria,
 4 requirements, and limitations on certain
 5 training; providing requirements for
 6 expenditure of certain funds; creating s.
 7 443.0915, F.S.; providing a definition and an
 8 application of an alternative base period;
 9 providing requirements and limitations;
 10 amending s. 443.111, F.S., relating to the
 11 payment of unemployment benefits; providing,
 12 for a limited time period, an increase in the
 13 weekly benefit amount and the total amount of
 14 benefits; providing effective dates.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. The Legislature finds that businesses and
 19 individuals in this state are experiencing significant
 20 economic hardship and that revenues critical to the delivery
 21 of vital public services are jeopardized. Therefore, it is the
 22 intent of the Legislature to establish policies designed to
 23 stimulate economic activity in this state and promote the
 24 economic security of the residents of this state. The need to
 25 retain and create jobs in this state in the current economic
 26 environment is great. A significant investment of state funds
 27 in reemployment and retraining programs is essential to
 28 economic recovery in this state. The state should invest in
 29 economic-recovery training programs that deliver a high
 30 expectation of continued employment after a reasonably short
 31 period of training is completed. Economic-recovery training

1 funds should be expended on programs that enhance the skills
2 of residents of this state who are employed by businesses
3 based in this state.

4 Section 2. Economic-recovery training shall be awarded
5 to providers of training services on a competitive basis and a
6 performance-based payment schedule to provide training that
7 does not exceed 12 months for any participant. Training
8 agreements may not be continued with providers of training
9 services who demonstrate a pattern of low training-completion
10 rates or low job-placement rates for participants who complete
11 the training. As used in this section, the term
12 "economic-recovery training" means training provided by, or
13 under contract with, the Agency for Workforce Innovation,
14 Workforce Florida, Inc., or a regional workforce board, to
15 prepare for reemployment an individual defined as a dislocated
16 worker under the federal Workforce Investment Act, 29 U.S.C.
17 s. 2801. This section does not apply to a contract that is
18 entered into before the effective date of this section, but
19 applies to the renewal of a contract.

20 Section 3. Section 443.0915, Florida Statutes, is
21 created to read:

22 443.0915 Alternative base period; eligibility for
23 benefits.--

24 (1) For a benefit year commencing on or after October
25 1, 2003, if an individual is not monetarily eligible in his or
26 her base period to qualify for benefits, the Agency for
27 Workforce Innovation must designate his or her base period to
28 be the alternative base period. As used in this section, the
29 term "alternative base period" means the last four completed
30 calendar quarters immediately before the first day of an
31 individual's benefit year. Wages used in a base period to

1 establish a monetarily eligible benefit year may not be
2 applied to establish monetary eligibility in any subsequent
3 benefit year. If information regarding wages for the calendar
4 quarter or quarters immediately before the benefit year has
5 not been input into the Agency for Workforce Innovation's
6 database, the agency shall request the wage information from
7 the employer. An employer must provide the requested wage
8 information within 10 days after receiving a request from the
9 Agency for Workforce Innovation. An employer who fails to
10 provide the requested wage information within the required
11 time is subject to the penalty for delinquent reports provided
12 in s. 443.141(1)(b).

13 (2) For monetary determinations based on the
14 alternative base period under subsection (1), if the Agency
15 for Workforce Innovation is unable to access the wage
16 information through its database, the agency may base the
17 determination of eligibility for benefits on an affidavit
18 submitted by the individual with respect to wages for those
19 calendar quarters. The individual must furnish payroll
20 information, if available, in support of the affidavit. A
21 determination of benefits based upon an alternative base
22 period shall be adjusted when the quarterly report of wage
23 information from the employer is received, if that information
24 causes a change in the determination.

25 Section 4. Subsection (3) and paragraph (a) of
26 subsection (5) of section 443.111, Florida Statutes, are
27 amended to read:

28 443.111 Payment of benefits.--

29 (3) WEEKLY BENEFIT AMOUNT.--

30 (a) An individual's "weekly benefit amount" is shall
31 be an amount equal to one twenty-sixth of the total wages for

1 insured work paid during that quarter of the base period in
2 which ~~the such~~ total wages paid were the highest, but not less
3 than \$32 or more than \$275. This amount may also be cited as
4 the "base benefit amount."

5 (b) For claims with benefit years beginning October 1,
6 2003, through June 30, 2005, the weekly benefit amount shall
7 be increased by \$25 or 15 ~~January 1, 2000, through December~~
8 ~~31, 2000, an additional 5~~ percent of the base weekly benefit
9 amount, whichever is greater, ~~shall be added for each the~~
10 ~~first 8~~ compensable week weeks of benefits paid, not to exceed
11 ~~\$316~~\$288.

12 (c) The ~~Such~~ weekly benefit amount, if not a multiple
13 of \$1, is ~~shall be~~ rounded downward to the nearest full dollar
14 amount. The maximum weekly benefit amount in effect at the
15 time the claimant establishes an individual weekly benefit
16 amount is ~~shall be~~ the maximum benefit amount applicable
17 throughout the claimant's benefit year.

18 (5) DURATION OF BENEFITS.--

19 (a)1. Each ~~Any~~ otherwise eligible individual is ~~shall~~
20 ~~be~~ entitled during any benefit year to a total amount of
21 benefits equal to 25 percent of the total wages in his or her
22 ~~the~~ base period, not to exceed \$7,150. This amount may be
23 cited as the "base amount of benefits."

24 2. For claims with benefit years beginning October 1,
25 2003, through June 30, 2005, the total amount of benefits
26 shall be increased by \$25 or 15 ~~January 1, 2000, through~~
27 ~~December 31, 2000, an additional amount equal to 5~~ percent of
28 the base weekly benefit amount, whichever is greater,
29 multiplied by the individual's number of benefit weeks ~~8~~ ~~shall~~
30 ~~be added to the calculated total amount of benefits, the sum~~
31 ~~of which may not to exceed~~\$8,216~~\$7,254~~. For purposes of this

1 subparagraph, an individual's number of benefit weeks is
2 calculated by dividing the individual's base amount of
3 benefits in subparagraph 1. by the individual's base benefit
4 amount in paragraph (3)(a). The number of benefit weeks shall
5 be computed to the third decimal place and rounded to the
6 second decimal place.

7 3. However, ~~the such~~ total amount of benefits, if not
8 a multiple of \$1, ~~is shall be~~ rounded downward to the nearest
9 full dollar amount. ~~These such~~ benefits are ~~shall be~~ payable
10 at a weekly rate no greater than the weekly benefit amount.

11 4.2. For the purposes of this subsection, wages are
12 ~~shall be~~ counted as "wages for insured work" for benefit
13 purposes with respect to any benefit year only if ~~the such~~
14 benefit year begins after ~~subsequent to~~ the date ~~on which~~ the
15 employing unit by whom ~~the such~~ wages were paid has satisfied
16 the conditions of this chapter for ~~with respect to~~ becoming an
17 employer.

18 Section 5. Except as otherwise expressly provided in
19 this act, this act shall take effect July 1, 2003.

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21 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
22 COMMITTEE SUBSTITUTE FOR
23 Senate Bill 470

24 The committee substitute removes provisions from the bill
25 which would have waived a requirement that individuals be
26 unemployed for a waiting period of 1 week before receiving
27 unemployment benefits and which would have accelerated the
28 initial payment of benefits. The committee substitute extends
29 the total amount of unemployment benefits an individual may
30 receive by an amount corresponding to a temporary increase in
31 weekly benefits. The committee substitute also clarifies
provisions relating to economic-recovery training.