

HB 0953

2004

1 A bill to be entitled
 2 An act relating to unemployment compensation; amending s.
 3 443.101, F.S.; limiting the scope of the definition of
 4 work applicable to disqualification for benefits; amending
 5 s. 443.111, F.S.; providing an exception to full weekly
 6 benefits for totally unemployed persons under certain
 7 circumstances; amending s. 443.151, F.S.; prohibiting
 8 overpayment recoveries under certain circumstances;
 9 providing an effective date.

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

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13 Section 1. Paragraph (a) of subsection (1) of section
 14 443.101, Florida Statutes, is amended to read:

15 443.101 Disqualification for benefits.--An individual
 16 shall be disqualified for benefits:

17 (1)(a) For the week in which he or she has voluntarily
 18 left his or her work without good cause attributable to his or
 19 her employing unit or in which the individual has been
 20 discharged by his or her employing unit for misconduct connected
 21 with his or her work, based on a finding by the Agency for
 22 Workforce Innovation. As used in this paragraph, the term "work"
 23 means any work, whether full-time, part-time, or temporary,
 24 other than part-time work engaged in by an individual receiving
 25 partial benefits as provided in s. 443.111(4)(a).

26 1. Disqualification for voluntarily quitting continues for
 27 the full period of unemployment next ensuing after he or she has
 28 left his or her full-time, part-time, or temporary work
 29 voluntarily without good cause and until the individual has

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30 earned income equal to or in excess of 17 times his or her
 31 weekly benefit amount. As used in this subsection, the term
 32 "good cause" includes only that cause attributable to the
 33 employing unit or which consists of illness or disability of the
 34 individual requiring separation from his or her work. Any other
 35 disqualification may not be imposed. An individual is not
 36 disqualified under this subsection for voluntarily leaving
 37 temporary work to return immediately when called to work by the
 38 permanent employing unit that temporarily terminated his or her
 39 work within the previous 6 calendar months.

40 2. Disqualification for being discharged for misconduct
 41 connected with his or her work continues for the full period of
 42 unemployment next ensuing after having been discharged and until
 43 the individual has become reemployed and has earned income of at
 44 least 17 times his or her weekly benefit amount and for not more
 45 than 52 weeks that immediately follow that week, as determined
 46 by the Agency for Workforce Innovation in each case according to
 47 the circumstances in each case or the seriousness of the
 48 misconduct, under the agency's rules adopted for determinations
 49 of disqualification for benefits for misconduct.

50 Section 2. Paragraph (a) of subsection (4) of section
 51 443.111, Florida Statutes, is amended to read:

52 443.111 Payment of benefits.--

53 (4) WEEKLY BENEFIT FOR UNEMPLOYMENT.--

54 (a) Total.--Each eligible individual who is totally
 55 unemployed in any week is paid for the week a benefit equal to
 56 her or his weekly benefit amount, except that an individual
 57 receiving partial benefits under paragraph (b) who becomes
 58 totally unemployed by voluntarily leaving his or her part-time

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59 work without cause attributable to his or her employing unit
 60 shall continue to receive only the partial benefits for which he
 61 or she was eligible under paragraph (b) before such event
 62 occurred.

63 (b) Partial.--Each eligible individual who is partially
 64 unemployed in any week is paid for the week a benefit equal to
 65 her or his weekly benefit less that part of the earned income,
 66 if any, payable to her or him for the week which is in excess of
 67 8 times the federal hourly minimum wage. These benefits, if not
 68 a multiple of \$1, are rounded downward to the nearest full
 69 dollar amount.

70 Section 3. Paragraph (c) of subsection (6) of section
 71 443.151, Florida Statutes, is amended to read:

72 443.151 Procedure concerning claims.--

73 (6) RECOVERY AND RECOUPMENT.--

74 (c) Recoupment from future benefits and recovery of
 75 overpayments are ~~is~~ not permitted if the benefits are received
 76 by such person without fault on the person's part and recoupment
 77 or recovery would defeat the purpose of this chapter or would be
 78 inequitable and against good conscience.

79 Section 4. This act shall take effect upon becoming a law.