

Bill No. SB 854



041974

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/4/2008	.	
	.	
	.	

1 The Committee on Commerce (Saunders) recommended the following
 2 **amendment:**

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 4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
 6 and insert:

7 Section 1. Subsection (10) of section 443.101, Florida
 8 Statutes, is amended to read:

9 443.101 Disqualification for benefits.--An individual
 10 shall be disqualified for benefits:

11 (10) Subject to the requirements of this subsection, if
 12 the claim is made based on the loss of employment as a leased
 13 employee for an employee leasing company or as a temporary
 14 employee for a temporary help firm.

15 (a) As used in this subsection, the term:

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16 1. "Temporary help firm" means a firm that hires its own
17 employees and assigns them to clients to support or supplement
18 the client's workforce in work situations such as employee
19 absences, temporary skill shortages, seasonal workloads, and
20 special assignments and projects, and includes a labor pool as
21 defined in s. 448.22. The term also includes a firm created by
22 an entity licensed under s. 125.012(6), which hires employees
23 assigned by a union for the purpose of supplementing or
24 supporting the workforce of the temporary help firm's clients.
25 The term does not include employee leasing companies regulated
26 under part XI of chapter 468.

27 2. "Temporary employee" means an employee assigned to work
28 for the clients of a temporary help firm. The term also include
29 a day laborer performing day labor, as defined in s. 448.22, who
30 is employed by a labor pool as defined in s. 448.22.

31 3. "Leased employee" means an employee assigned to work
32 for the clients of an employee leasing company regulated under
33 part XI of chapter 468.

34 (b) A temporary or leased employee is deemed to have
35 voluntarily quit employment and is disqualified for benefits
36 under subparagraph (1)(a)1. if, upon conclusion of his or her
37 latest assignment, the temporary or leased employee, without
38 good cause, failed to contact the temporary help or employee-
39 leasing firm for reassignment, if the employer advised the
40 temporary or leased employee at the time of hire and that the
41 leased employee is notified also at the time of separation that
42 he or she must report for reassignment upon conclusion of each
43 assignment, regardless of the duration of the assignment, and



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44 that unemployment benefits may be denied for failure to report.
 45 For purposes of this section, the time of hire for a day laborer
 46 is upon his or her acceptance of the first assignment following
 47 completion of an employment application with the labor pool.

48 Section 2. This act shall take effect July 1, 2008.
 49

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

51 And the title is amended as follows:

52 Delete everything before the enacting clause
 53 and insert:

54 A bill to be entitled
 55 An act relating to unemployment compensation; amending s.
 56 443.101, F.S.; redefining the term "temporary help firm"
 57 to include a labor pool; redefining the term "temporary
 58 employee" to include a day laborer who is employed by a
 59 labor pool; providing that a day laborer is disqualified
 60 for benefits following loss of employment with a labor
 61 pool; providing that the time of hire for a day laborer is
 62 upon acceptance of the first assignment with a labor pool;
 63 providing an effective date.