

By Senator Fasano

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1 A bill to be entitled

2 An act relating to unemployment compensation; amending s.
3 443.101, F.S.; providing for disqualification for
4 unemployment compensation if a day laborer employed by a
5 labor pool fails to report for reassignment; defining the
6 terms "labor pool" and "day laborer" for purposes of such
7 provisions; providing that a day laborer who fails to
8 return in person to obtain a new assignment upon
9 conclusion of his or her latest assignment is deemed to
10 have voluntarily quit employment; providing an effective
11 date.

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

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

17 443.101 Disqualification for benefits.--An individual shall
18 be disqualified for benefits:

19 (10) Subject to the requirements of this subsection, if the
20 claim is made based on the loss of employment as a leased
21 employee for an employee leasing company or as a temporary
22 employee for a temporary help firm or labor pool.

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

24 1. "Temporary help firm" means a firm that hires its own
25 employees and assigns them to clients to support or supplement
26 the client's workforce in work situations such as employee
27 absences, temporary skill shortages, seasonal workloads, and
28 special assignments and projects. The term also includes a firm
29 created by an entity licensed under s. 125.012(6), which hires

11-00514B-08

2008854__

30 employees assigned by a union for the purpose of supplementing or
31 supporting the workforce of the temporary help firm's clients.
32 The term does not include employee leasing companies regulated
33 under part XI of chapter 468.

34 2. "Labor pool" means those entities defined in s. 448.22.

35 ~~3.2.~~ "Temporary employee" means an employee assigned to
36 work for the clients of a temporary help firm.

37 ~~4.3.~~ "Leased employee" means an employee assigned to work
38 for the clients of an employee leasing company regulated under
39 part XI of chapter 468.

40 5. "Day laborer" means any individual employed by a labor
41 pool.

42 (b) A temporary or leased employee is deemed to have
43 voluntarily quit employment and is disqualified for benefits
44 under subparagraph (1)(a)1. if, upon conclusion of his or her
45 latest assignment, the temporary or leased employee, without good
46 cause, failed to contact the temporary help or employee-leasing
47 firm for reassignment, if the employer advised the temporary or
48 leased employee at the time of hire and that the leased employee
49 is notified also at the time of separation that he or she must
50 report for reassignment upon conclusion of each assignment,
51 regardless of the duration of the assignment, and that
52 unemployment benefits may be denied for failure to report.

53 (c) A day laborer is deemed to have voluntarily quit
54 employment and is disqualified for benefits under subparagraph
55 (1)(a)1. if, upon conclusion of his or her latest assignment, the
56 day laborer, without good cause, fails to return in person on the
57 next business day to obtain a new assignment. The labor pool must
58 advise the day laborer at the time of hire that he or she must

11-00514B-08

2008854__

59 report in person for reassignment the next business day following
60 conclusion of each assignment, regardless of the duration of the
61 assignment, and that unemployment benefits may be denied for
62 failure to report in person.

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