

By the Committee on Commerce; and Senator Fasano

577-04459A-08

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1 A bill to be entitled

2 An act relating to unemployment compensation; amending s.
3 443.101, F.S.; redefining the term "temporary help firm"
4 to include a labor pool; redefining the term "temporary
5 employee" to include a day laborer who is employed by a
6 labor pool; providing that a day laborer is disqualified
7 for benefits following loss of employment with a labor
8 pool; providing that the time of hire for a day laborer is
9 upon acceptance of the first assignment with a labor pool;
10 providing an effective date.

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

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

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

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

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

23 1. "Temporary help firm" means a firm that hires its own
24 employees and assigns them to clients to support or supplement
25 the client's workforce in work situations such as employee
26 absences, temporary skill shortages, seasonal workloads, and
27 special assignments and projects, and includes a labor pool as
28 defined in s. 448.22. The term also includes a firm created by an
29 entity licensed under s. 125.012(6), which hires employees

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

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

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

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