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LEGISLATIVE ACTION

Senate

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House

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Floor: 5/AD/2R

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04/28/2009 11:29 AM

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Senator Garcia moved the following:

**Senate Amendment (with title amendment)**

Between lines 390 and 391

insert:

Section 5. Paragraph (a) of subsection (1) of section  
443.101, Florida Statutes, is amended to read:

443.101 Disqualification for benefits.—An individual shall  
be disqualified for benefits:

(1) (a) For the week in which he or she has voluntarily left  
his or her work without good cause attributable to his or her  
employing unit or in which the individual has been discharged by  
his or her employing unit for misconduct connected with his or



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13 her work, based on a finding by the Agency for Workforce  
14 Innovation. As used in this paragraph, the term "work" means any  
15 work, whether full-time, part-time, or temporary.

16 1. Disqualification for voluntarily quitting continues for  
17 the full period of unemployment next ensuing after he or she has  
18 left his or her full-time, part-time, or temporary work  
19 voluntarily without good cause and until the individual has  
20 earned income equal to or in excess of 17 times his or her  
21 weekly benefit amount. As used in this subsection, the term  
22 "good cause" includes only that cause attributable to the  
23 employing unit or which consists of illness or disability of the  
24 individual requiring separation from his or her work. Any other  
25 disqualification may not be imposed. An individual is not  
26 disqualified under this subsection for voluntarily leaving  
27 temporary work to return immediately when called to work by the  
28 permanent employing unit that temporarily terminated his or her  
29 work within the previous 6 calendar months. For benefit years  
30 beginning on or after July 1, 2004, an individual is not  
31 disqualified under this subsection for voluntarily leaving work  
32 to relocate as a result of his or her military-connected  
33 spouse's permanent change of station orders, activation orders,  
34 or unit deployment orders.

35 2. Disqualification for being discharged for misconduct  
36 connected with his or her work continues for the full period of  
37 unemployment next ensuing after having been discharged and until  
38 the individual has become reemployed and has earned income of at  
39 least 17 times his or her weekly benefit amount and for not more  
40 than 52 weeks that immediately follow that week, as determined  
41 by the Agency for Workforce Innovation in each case according to



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42 the circumstances in each case or the seriousness of the  
43 misconduct, under the agency's rules adopted for determinations  
44 of disqualification for benefits for misconduct.

45 3. When an individual has provided notification to the  
46 employing unit of his or her intent to voluntarily leave work  
47 and the employing unit discharges the individual for reasons  
48 other than misconduct prior to the date the voluntary quit was  
49 to take effect, the individual, if otherwise entitled, will  
50 receive benefits from the date of the employer's discharge until  
51 the effective date of his or her voluntary quit.

52 4. When an individual is notified by the employing unit of  
53 the employer's intent to discharge the individual for reasons  
54 other than misconduct and the individual quits without good  
55 cause, as defined in this section, prior to the date the  
56 discharge was to take effect, the claimant is ineligible for  
57 benefits pursuant to 443.091(1)(c)1 for failing to be available  
58 for work for the week or weeks of unemployment occurring prior  
59 to the effective date of the discharge.

60  
61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Delete everything before the enacting clause  
64 and insert:

65 An act relating to unemployment compensation; amending s.  
66 443.1217, F.S.; raising the amount of an employee's wages  
67 subject to an employer's contribution to the trust fund, with a  
68 reversion to current law after January 1, 2015; amending s.  
69 443.131, F.S.; revising the rate and recoupment period for  
70 computing the employer contribution to the trust fund, with a



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71 reversion to current law for recoupment after January 1, 2015;  
72 providing the calculation for lowering an employer's  
73 contribution to the trust fund under certain circumstances  
74 beginning January 1, 2015; providing for a suspension of  
75 lowering the employer's contribution under certain  
76 circumstances; providing a definition of taxable payroll;  
77 amending s. 443.191, F.S.; providing for advances to be credited  
78 to the Unemployment Compensation Trust Fund; providing authority  
79 to the Governor or the Governor's designee to request advances;  
80 creating s. 443.1117, F.S.; establishing temporary state  
81 extended benefits for claims between July 5, 2009, and December  
82 26, 2009; creating definitions; providing for state extended  
83 benefits for certain weeks and for periods of high unemployment;  
84 amending s. 443.101, F.S.; providing additional provisions  
85 dealing with disqualification for benefits under certain  
86 conditions; providing that the act fulfills an important state  
87 interest; providing effective dates.