

1 A bill to be entitled
 2 An act relating to employment liability for persons with
 3 disabilities; providing a short title; creating s.
 4 768.0965, F.S.; limiting the liability of employers of
 5 persons with developmental disabilities for acts or
 6 omissions of such employees in certain circumstances;
 7 providing that a not-for-profit supported employment
 8 service provider who has provided supported employment
 9 services to an individual with a developmental disability
 10 is not liable for the actions or conduct of that
 11 individual occurring within the scope of his or her
 12 employment; providing applicability; providing an
 13 effective date.

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

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 17 Section 1. This act may be cited as the "Employees with
 18 Disabilities Opportunity Act."

19 Section 2. Section 768.0965, Florida Statutes, is created
 20 to read:

21 768.0965 Limitation of employment liability for persons
 22 with disabilities.-

23 (1) An employer employing a person with a developmental
 24 disability as defined in s. 393.063 is not liable for the acts
 25 or omissions, negligent or intentional, of the employee, if:

26 (a) The employee has received supported employment
 27 services through a public or private not-for-profit provider;
 28 and

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29 (b) The employer does not have actual notice of actions or
30 omissions of the employee which create unsafe conditions in the
31 workplace.

32 (2) A not-for-profit supported employment service provider
33 who has provided supported employment services to an individual
34 with a developmental disability as defined in s. 393.063 is not
35 liable for the actions or conduct of the individual occurring
36 within the scope of such individual's employment.

37 Section 3. This act shall take effect July 1, 2011, and
38 shall apply to causes of action occurring on or after that date.