



747908

LEGISLATIVE ACTION

Senate

House

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Floor: WD

03/08/2012 02:34 PM

Senator Braynon moved the following:

Senate Amendment (with title amendment)

Between lines 330 and 331

insert:

Section 8. 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 work without good cause attributable to his or her employing unit or has been discharged by the employing unit for misconduct connected with his or her work, based on a finding by the Department of Economic Opportunity. As used in this paragraph,



747908

14 the term "work" means any work, whether full-time, part-time, or
15 temporary.

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

34 2. Disqualification for being discharged for misconduct
35 connected with his or her work continues for the full period of
36 unemployment next ensuing after having been discharged and until
37 the individual is reemployed and has earned income of at least
38 17 times his or her weekly benefit amount and for not more than
39 52 weeks immediately following that week, as determined by the
40 department in each case according to the circumstances or the
41 seriousness of the misconduct, under the department's rules
42 adopted for determinations of disqualification for benefits for



747908

43 misconduct.

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

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

59 5. As used in this paragraph, the term "good cause" means
60 domestic violence, as defined in s. 741.28, which causes the
61 individual to reasonably believe that continued employment will
62 jeopardize the individual's safety or the safety of a member of
63 her or his immediate family. Such cause must be substantiated by
64 evidence that reasonably proves that domestic violence has
65 occurred, such as an injunction, protective order, or other such
66 reasonable and confidential documentation authorized by state
67 law.

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

70 And the title is amended as follows:

71 Delete line 30



747908

72 and insert:
73 conforming provisions to changes made by the act;
74 amending s. 443.101, F.S.; revising the definition of
75 the term "good cause" to mean domestic violence, for
76 purposes of certain provisions governing qualification
77 for unemployment benefits;