

1 A bill to be entitled
 2 An act relating to unemployment compensation; amending
 3 s. 443.101, F.S.; making editorial changes;
 4 prohibiting certain victims of domestic violence from
 5 being disqualified for benefits for voluntarily
 6 leaving work; prohibiting the employment record of an
 7 employing unit from being charged in certain
 8 circumstances; providing an effective date.

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

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 12 Section 1. Paragraph (a) of subsection (1) of section
 13 443.101, Florida Statutes, is amended to read:

14 443.101 Disqualification for benefits.—An individual shall
 15 be disqualified for benefits:

16 (1) (a) For the week in which he or she has voluntarily
 17 left work without good cause attributable to his or her
 18 employing unit or for the week in which he or she has been
 19 discharged by the employing unit for misconduct connected with
 20 his or her work, based on a finding by the Department of
 21 Economic Opportunity. As used in this paragraph, the term "work"
 22 means any work, whether full-time, part-time, or temporary.

23 1. Disqualification for voluntarily quitting continues for
 24 the full period of unemployment next ensuing after the
 25 individual has left his or her full-time, part-time, or

26 temporary work voluntarily without good cause and until the
 27 individual has earned income equal to or greater than 17 times
 28 his or her weekly benefit amount. As used in this subsection,
 29 the term "good cause" includes only that cause attributable to
 30 the employing unit which would compel a reasonable employee to
 31 cease working or attributable to the individual's illness or
 32 disability requiring separation from his or her work. Additional
 33 disqualifications ~~Any other disqualification~~ may not be imposed.

34 2. An individual is not disqualified under this subsection
 35 for:

36 a. Voluntarily leaving temporary work to return
 37 immediately when called to work by the permanent employing unit
 38 that temporarily terminated his or her work within the previous
 39 6 calendar months;

40 b. ~~, or for~~ Voluntarily leaving work to relocate as a
 41 result of his or her military-connected spouse's permanent
 42 change of station orders, activation orders, or unit deployment
 43 orders; or

44 c. Voluntarily leaving work if he or she proves that his
 45 or her discontinued employment is a direct result of
 46 circumstances related to domestic violence as defined in s.
 47 741.28. An individual who voluntarily leaves work under this
 48 sub-subparagraph must:

49 (I) Make reasonable efforts to preserve employment, unless
 50 the individual establishes that such remedies are likely to be

51 futile or to increase the risk of future incidents of domestic
52 violence. Such efforts may include seeking a protective
53 injunction, relocating to a secure place, or seeking reasonable
54 accommodation from the employing unit, such as a transfer or
55 change of assignment;

56 (II) Provide evidence such as an injunction, a protective
57 order, or other documentation authorized by state law which
58 reasonably proves that domestic violence has occurred; and

59 (III) Reasonably believe that he or she is likely to be
60 the victim of a future act of domestic violence at, in transit
61 to, or departing from his or her place of employment. An
62 individual who is otherwise eligible for benefits under this
63 sub-subparagraph is ineligible for each week that he or she no
64 longer meets such criteria or refuses a reasonable accommodation
65 offered in good faith by his or her employing unit.

66 3. The employment record of an employing unit may not be
67 charged for the payment of benefits to an individual who has
68 voluntarily left work under this paragraph.

69 4.2. Disqualification for being discharged for misconduct
70 connected with his or her work continues for the full period of
71 unemployment next ensuing after having been discharged and until
72 the individual is reemployed and has earned income of at least
73 17 times his or her weekly benefit amount and for not more than
74 52 weeks immediately following that week, as determined by the
75 department in each case according to the circumstances or the

76 | seriousness of the misconduct, under the department's rules
77 | ~~adopted for determining determinations of~~ disqualification for
78 | benefits for misconduct.

79 | 5.3. If an individual has provided notification to the
80 | employing unit of his or her intent to voluntarily leave work
81 | and the employing unit discharges the individual for reasons
82 | other than misconduct before the date the voluntary quit was to
83 | take effect, the individual, if otherwise entitled, shall
84 | receive benefits from the date of the employer's discharge until
85 | the effective date of his or her voluntary quit.

86 | 6.4. If an individual is notified by the employing unit of
87 | the employer's intent to discharge the individual for reasons
88 | other than misconduct and the individual quits without good
89 | cause before the date the discharge was to take effect, the
90 | claimant is ineligible for benefits pursuant to s. 443.091(1)(d)
91 | for failing to be available for work for the week or weeks of
92 | unemployment occurring before the effective date of the
93 | discharge.

94 | Section 2. This act shall take effect July 1, 2019.