

1                   A bill to be entitled  
2           An act relating to employment benefits and  
3           accommodations for crime victims and witnesses;  
4           amending s. 443.101, F.S.; revising factors for  
5           exemptions from disqualification for employment  
6           assistance benefits; providing documentation  
7           requirements for such factors; providing definitions;  
8           amending s. 443.131, F.S.; providing that reemployment  
9           assistance benefits paid to employees as a result of  
10          the additional factors may not be charged to the  
11          employer's employment record; creating s. 448.046,  
12          F.S.; providing definitions; requiring employers to  
13          authorize employees to request and take up to a  
14          specified number of days of leave from work under  
15          certain circumstances; providing requirements and  
16          purposes for such leave; providing applicability;  
17          providing requirements for documentation for leave  
18          requests; requiring employees to exhaust other leave  
19          options before taking specified leave; authorizing  
20          employers to require employees to take leave  
21          concurrently; providing confidentiality requirements;  
22          requiring employers to provide reasonable work  
23          accommodations under certain circumstances; requiring  
24          employees to disclose specified information and  
25          provide specified documentation to request work

26 accommodations; requiring employees to notify  
27 employers when accommodations are no longer needed;  
28 providing construction; requiring employers to  
29 maintain the confidentiality of specified information;  
30 prohibiting employers from engaging in specified  
31 actions under certain circumstances; providing  
32 remedies for violations of specified provisions;  
33 authorizing employees to claim as damages all wages  
34 and benefits under certain circumstances; providing an  
35 exception; amending s. 741.313, F.S.; conforming  
36 provisions to changes made by the act; providing an  
37 effective date.

38  
39 Be It Enacted by the Legislature of the State of Florida:

40  
41 Section 1. Paragraph (a) of subsection (1) of section  
42 443.101, Florida Statutes, is amended to read:

43 443.101 Disqualification for benefits.—An individual shall  
44 be disqualified for benefits:

45 (1) (a) For the week in which he or she has voluntarily  
46 left work without good cause attributable to his or her  
47 employing unit or for the week in which he or she has been  
48 discharged by the employing unit for misconduct connected with  
49 his or her work, based on a finding by the Department of  
50 Economic Opportunity. As used in this paragraph, the term "work"

51 means any work, whether full-time, part-time, or temporary.

52 1. Disqualification for voluntarily quitting continues for  
 53 the full period of unemployment next ensuing after the  
 54 individual has left his or her full-time, part-time, or  
 55 temporary work voluntarily without good cause and until the  
 56 individual has earned income equal to or greater than 17 times  
 57 his or her weekly benefit amount. As used in this subsection,  
 58 the term "good cause" includes only that cause attributable to  
 59 the employing unit which would compel a reasonable employee to  
 60 cease working or attributable to the individual's illness or  
 61 disability requiring separation from his or her work. Any other  
 62 disqualification may not be imposed.

63 2. An individual is not disqualified under this subsection  
 64 for:

65 a. Voluntarily leaving temporary work to return  
 66 immediately when called to work by the permanent employing unit  
 67 that temporarily terminated his or her work within the previous  
 68 6 calendar months;

69 b. Voluntarily leaving work to relocate as a result of his  
 70 or her military-connected spouse's permanent change of station  
 71 orders, activation orders, or unit deployment orders; or

72 c. Voluntarily leaving work if he or she proves that his  
 73 or her discontinued employment is a direct result of  
 74 circumstances related to stalking as described in s. 784.048(2)-  
 75 (5) and (7), sexual violence as defined in s. 741.313(1), or

76 domestic violence as defined in s. 741.28. An individual who  
77 voluntarily leaves work under this sub-subparagraph must:

78 (I) Make reasonable efforts to preserve employment, unless  
79 the individual establishes that such remedies are likely to be  
80 futile or to increase the risk of future incidents of stalking,  
81 sexual violence, or domestic violence. Such efforts may include  
82 seeking a protective injunction, relocating to a secure place,  
83 or seeking reasonable accommodation from the employing unit,  
84 such as a transfer or change of assignment;

85 (II) Provide evidence such as an injunction, a protective  
86 order, medical records, mental health records, a law enforcement  
87 report, or other documentation authorized by state law which  
88 reasonably proves that domestic violence has occurred; and

89 (III) Reasonably believe that he or she is likely to be  
90 the victim of a future act of stalking, sexual violence, or  
91 domestic violence at, in transit to, or departing from his or  
92 her place of employment. An individual who is otherwise eligible  
93 for benefits under this sub-subparagraph is ineligible for each  
94 week that he or she no longer meets such criteria or refuses a  
95 reasonable accommodation offered in good faith by his or her  
96 employing unit.

97 d.(I) If sub-subparagraph c. does not otherwise already  
98 apply, voluntarily leaving work if:

99 (A) He or she is a witness to a crime, his or her  
100 immediate family member is a witness to a crime, or his or her

101 immediate family member was a homicide victim; and

102 (B) His or her discontinued employment is a direct result  
103 of circumstances related to the crime.

104 (II) An individual who voluntarily leaves work under this  
105 sub-subparagraph must:

106 (A) Make reasonable efforts to preserve employment, unless  
107 the individual establishes that such remedies are likely to be  
108 futile or to increase the risk of future victimization. Such  
109 efforts may include seeking a protective injunction, relocating  
110 to a secure place, or seeking reasonable accommodation from the  
111 employing unit, such as a transfer or change of assignment;

112 (B) Provide evidence such as an injunction, a protective  
113 order, medical records, mental health records, a law enforcement  
114 report, or other documentation authorized by state law which  
115 reasonably verifies that a crime has occurred; and

116 (C) Reasonably believe that he or she is likely to be the  
117 victim of a future crime at, in transit to, or departing from  
118 his or her place of employment. An individual who is otherwise  
119 eligible for benefits under this sub-subparagraph is ineligible  
120 for each week that he or she no longer meets such criteria or  
121 refuses a reasonable accommodation offered in good faith by his  
122 or her employing unit.

123 3. The employment record of an employing unit may not be  
124 charged for the payment of benefits to an individual who has  
125 voluntarily left work under sub-subparagraph 2.c. or sub-

126 subparagraph 2.d.

127 4. Disqualification for being discharged for misconduct  
128 connected with his or her work continues for the full period of  
129 unemployment next ensuing after having been discharged and until  
130 the individual is reemployed and has earned income of at least  
131 17 times his or her weekly benefit amount and for not more than  
132 52 weeks immediately following that week, as determined by the  
133 department in each case according to the circumstances or the  
134 seriousness of the misconduct, under the department's rules for  
135 determining disqualification for benefits for misconduct.

136 5. If an individual has provided notification to the  
137 employing unit of his or her intent to voluntarily leave work  
138 and the employing unit discharges the individual for reasons  
139 other than misconduct before the date the voluntary quit was to  
140 take effect, the individual, if otherwise entitled, shall  
141 receive benefits from the date of the employer's discharge until  
142 the effective date of his or her voluntary quit.

143 6. If an individual is notified by the employing unit of  
144 the employer's intent to discharge the individual for reasons  
145 other than misconduct and the individual quits without good  
146 cause before the date the discharge was to take effect, the  
147 claimant is ineligible for benefits pursuant to s. 443.091(1)(d)  
148 for failing to be available for work for the week or weeks of  
149 unemployment occurring before the effective date of the  
150 discharge.

151           7. As used in this paragraph, the term:  
 152           a. "Crime" means any of the following:  
 153           (I) Sexual violence as defined in s. 741.313(1).  
 154           (II) Domestic violence as defined in s. 741.28.  
 155           (III) Stalking as described in s. 784.048(2), (3), (4),  
 156           (5), or (7).  
 157           (IV) A crime that causes physical injury, psychological  
 158           injury with the threat of physical injury, or death to the  
 159           victim.  
 160           b. "Immediate family member" means any of the following:  
 161           (I) A parent, child, or sibling of an individual, whether  
 162           by blood, adoption, or marriage and regardless of the age of the  
 163           family member or individual.  
 164           (II) A legal guardian of an individual, a person who  
 165           stands in loco parentis to an individual, or a person who was a  
 166           legal guardian to an individual or who stood in loco parentis to  
 167           an individual when the individual was a minor.  
 168           (III) A person to whom an individual is a legal guardian,  
 169           to whom an individual stands in loco parentis, or to whom an  
 170           individual was a legal guardian or stood in loco parentis when  
 171           the person was a minor.  
 172           (IV) A spouse, fiancé, or fiancée of an individual.  
 173           (V) A person who lives in the same dwelling unit as an  
 174           individual and who has a relationship of a romantic or intimate  
 175           nature with the individual.

176        (VI) A person who lives in the same dwelling unit as an  
177 individual and who is related to the individual by blood,  
178 adoption, or marriage, or a person who has at any time lived in  
179 the same dwelling unit as an individual and whose close  
180 association with the individual is similar to that of a parent,  
181 child, sibling, or spouse.

182        c. "Witness" means a person, including, but not limited  
183 to, the victim, who witnessed any part of the commission of a  
184 crime and who was neither the perpetrator nor an accomplice.

185        Section 2. Paragraph (a) of subsection (3) of section  
186 443.131, Florida Statutes, is amended to read:

187        443.131 Contributions.—

188        (3) VARIATION OF CONTRIBUTION RATES BASED ON BENEFIT  
189 EXPERIENCE.—

190        (a) Employment records.—The regular and short-time  
191 compensation benefits paid to an eligible individual shall be  
192 charged to the employment record of each employer who paid the  
193 individual wages of at least \$100 during the individual's base  
194 period in proportion to the total wages paid by all employers  
195 who paid the individual wages during the individual's base  
196 period. Benefits may not be charged to the employment record of  
197 an employer who furnishes part-time work to an individual who,  
198 because of loss of employment with one or more other employers,  
199 is eligible for partial benefits while being furnished part-time  
200 work by the employer on substantially the same basis and in



201 substantially the same amount as the individual's employment  
202 during his or her base period, regardless of whether this part-  
203 time work is simultaneous or successive to the individual's lost  
204 employment. Further, as provided in s. 443.151(3), benefits may  
205 not be charged to the employment record of an employer who  
206 furnishes the Department of Economic Opportunity with notice, as  
207 prescribed in rules of the department, that any of the following  
208 apply:

209 1. If an individual leaves his or her work without good  
210 cause attributable to the employer or is discharged by the  
211 employer for misconduct connected with his or her work, benefits  
212 subsequently paid to the individual based on wages paid by the  
213 employer before the separation may not be charged to the  
214 employment record of the employer.

215 2. If an individual is discharged by the employer for  
216 unsatisfactory performance during an initial employment  
217 probationary period, benefits subsequently paid to the  
218 individual based on wages paid during the probationary period by  
219 the employer before the separation may not be charged to the  
220 employer's employment record. As used in this subparagraph, the  
221 term "initial employment probationary period" means an  
222 established probationary plan that applies to all employees or a  
223 specific group of employees and that does not exceed 90 calendar  
224 days following the first day a new employee begins work. The  
225 employee must be informed of the probationary period within the

226 first 7 days of work. The employer must demonstrate by  
227 conclusive evidence that the individual was separated because of  
228 unsatisfactory work performance and not because of lack of work  
229 due to temporary, seasonal, casual, or other similar employment  
230 that is not of a regular, permanent, and year-round nature.

231 3. Benefits subsequently paid to an individual after his  
232 or her refusal without good cause to accept suitable work from  
233 an employer may not be charged to the employment record of the  
234 employer if any part of those benefits are based on wages paid  
235 by the employer before the individual's refusal to accept  
236 suitable work. As used in this subparagraph, the term "good  
237 cause" does not include distance to employment caused by a  
238 change of residence by the individual. The department shall  
239 adopt rules prescribing for the payment of all benefits whether  
240 this subparagraph applies regardless of whether a  
241 disqualification under s. 443.101 applies to the claim.

242 4. If an individual is separated from work as a direct  
243 result of a natural disaster declared under the Robert T.  
244 Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C.  
245 ss. 5121 et seq., benefits subsequently paid to the individual  
246 based on wages paid by the employer before the separation may  
247 not be charged to the employment record of the employer.

248 5. If an individual is separated from work as a direct  
249 result of an oil spill, terrorist attack, or other similar  
250 disaster of national significance not subject to a declaration

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251 under the Robert T. Stafford Disaster Relief and Emergency  
252 Assistance Act, benefits subsequently paid to the individual  
253 based on wages paid by the employer before the separation may  
254 not be charged to the employment record of the employer.

255 6. If an individual is separated from work as a direct  
256 result of stalking, sexual violence, domestic violence, or a  
257 crime and meets all requirements in s. 443.101(1)(a)2.c. or  
258 2.d., benefits subsequently paid to the individual based on  
259 wages paid by the employer before separation may not be charged  
260 to the employment record of the employer.

261 Section 3. Section 448.046, Florida Statutes, is created  
262 to read:

263 448.046 Leave and work accommodations for victims or  
264 witnesses of crime.—

265 (1) As used in this section, the term:

266 (a) "Crime" means any of the following:

267 1. Sexual violence.

268 2. Domestic violence.

269 3. A crime that causes physical injury, psychological  
270 injury with the threat of physical injury, or death to the  
271 victim.

272 (b) "Domestic violence" means domestic violence, as  
273 defined in s. 741.28; stalking, as described in s. 748.048(2),  
274 (3), (4), (5), or (7); or any crime the underlying factual basis  
275 of which has been found by a court to include an act of domestic

276 violence or stalking.

277 (c) "Employee" has the same meaning as in s. 440.02(15).

278 (d) "Employer" has the same meaning as in s. 440.02(16).

279 (e) "Immediate family member" means any of the following:

280 1. A parent, child, or sibling of the employee, whether by  
281 blood, adoption, or marriage and regardless of the age of the  
282 family member or employee.

283 2. A legal guardian of the employee, a person who stands  
284 in loco parentis to the employee, or a person who was a legal  
285 guardian to the employee or who stood in loco parentis to the  
286 employee when the employee was a minor.

287 3. A person to whom the employee is a legal guardian, to  
288 whom the employee stands in loco parentis, or to whom the  
289 employee was a legal guardian or stood in loco parentis when the  
290 person was a minor.

291 4. A spouse, fiancé, or fiancée of the employee.

292 5. A cohabitant who lives in the same dwelling unit as the  
293 employee and who has a relationship of a romantic or intimate  
294 nature with the employee.

295 6. A person who lives in the same dwelling unit as the  
296 employee and who is related to the employee by blood, adoption,  
297 or marriage, or a person who has at any time lived in the same  
298 dwelling unit as the employee and whose close association with  
299 the employee is similar to that of a parent, child, sibling, or  
300 spouse.

301 (f) "Sexual violence" has the same meaning as in s.  
302 741.313.

303 (g) "Witness" means a person, including, but not limited  
304 to, the victim, who witnessed any part of the commission of a  
305 crime and who was neither the perpetrator nor an accomplice.

306 (2) (a) An employer shall authorize an employee who is not  
307 otherwise already eligible for leave under s. 741.313 to request  
308 and take up to 30 working days of leave from work in any 12-  
309 month period if the employee or an immediate family member of  
310 the employee is a witness to a crime in that 12-month period, or  
311 if an immediate family member of the employee is a homicide  
312 victim in that period. This leave may be with or without pay, at  
313 the discretion of the employer.

314 (b) This section applies if an employee uses the leave  
315 from work as a result of the crime to:

316 1. Seek an injunction for protection against domestic  
317 violence or an injunction for protection in cases of repeat  
318 violence, domestic violence, dating violence, or sexual  
319 violence;

320 2. Seek a temporary restraining order, protective order,  
321 or other injunction for protection;

322 3. Obtain medical care or mental health counseling, or  
323 both, for the employee or an immediate family member of the  
324 employee to address physical or psychological injuries resulting  
325 from the crime;

326 4. Obtain services from a victim services organization,  
327 including, but not limited to, a domestic violence shelter or  
328 program or a rape crisis center as a result of the crime;

329 5. Make the employee's home secure, or seek new housing,  
330 to improve the employee's safety or psychological well-being or  
331 the employee's immediate family member's safety or psychological  
332 well-being;

333 6. Seek legal assistance in addressing issues arising from  
334 the crime, or attend and prepare for court-related proceedings  
335 arising from the crime;

336 7. Make arrangements necessitated by the death of an  
337 employee's immediate family member as a result of the crime;

338 8. Grieve the death of an employee's immediate family  
339 member as a result of the crime; or

340 9. Make any other arrangements necessary to provide for  
341 the safety or psychological well-being of the employee or his or  
342 her immediate family member as a result of the crime.

343 (3) This section applies to an employer who employs 25 or  
344 more employees and to an employee who has been employed by the  
345 employer for 3 or more months.

346 (4) (a) Except in cases of imminent danger to the health or  
347 safety of the employee, or to the health or safety of an  
348 immediate family member of the employee, an employee seeking  
349 leave from work under this section must provide to his or her  
350 employer appropriate advance notice of the leave as required by

351 the employer's policy along with sufficient documentation of the  
352 crime as required by the employer. The employer must accept any  
353 of the following as sufficient documentation of the crime:

354 1. A copy of an injunction for protection issued to the  
355 employee or the employee's immediate family member;

356 2. A copy of an order of no contact entered by the court  
357 in a criminal case in which the defendant was charged with  
358 committing a crime against the employee or the employee's  
359 immediate family member, or to which the employee or employee's  
360 immediate family member was otherwise a witness;

361 3. A written certification from a domestic violence center  
362 certified under chapter 39 or a rape crisis center as defined in  
363 s. 794.055(2) that states that the employee or the employee's  
364 immediate family member was a witness to a crime, or that the  
365 employee's immediate family member was a homicide victim;

366 4. A written certification from a public or nonprofit  
367 agency or program that receives moneys administered by the  
368 Office of the Attorney General to provide services to victims of  
369 or witnesses to a crime, that states that the employee or  
370 employee's immediate family member was a witness to a crime or  
371 that the employee's immediate family member was a homicide  
372 victim;

373 5. A copy of a law enforcement report documenting the  
374 crime and identifying the employee or the employee's immediate  
375 family member as a witness to a crime, or identifying the

376 employee's immediate family member as a homicide victim;  
377 6. A written statement from a marriage and family  
378 therapist as defined in s. 394.455, mental health counselor as  
379 defined in s. 394.455, physician as defined in s. 458.305,  
380 physician assistant as defined in s. 394.455, psychiatric nurse  
381 as defined in s. 394.455, psychiatrist as defined in s. 394.455,  
382 or other health care practitioner as defined under s. 456.001  
383 certifying that the employee or the employee's immediate family  
384 member is receiving or has received treatment as a result of  
385 being a witness to a crime, as a result of the employee's  
386 immediate family member being a witness to a crime, or as a  
387 result of the death of an employee's immediate family member as  
388 a result of homicide; or  
389 7. Any other documentation that is:  
390 a. Sufficient to reasonably verify that the crime  
391 occurred;  
392 b. Authorized by state law; or  
393 c. Acceptable to the employer.  
394 (b) An employee seeking leave under this subsection must,  
395 before receiving the leave, exhaust all annual or vacation  
396 leave, personal leave, and sick leave, if applicable, that is  
397 available to the employee, unless the employer waives this  
398 requirement.  
399 (c) An employer may require the employee to take leave  
400 allowable under this section concurrently with any annual



401 vacation leave, personal leave, and sick leave, if applicable,  
402 that is available to the employee.

403 (d) To the extent allowed by law, an employer must  
404 maintain the confidentiality of all information relating to a  
405 request for leave made by an employee under this subsection.

406 (5) (a) An employer must provide reasonable work  
407 accommodations if requested by an employee who:

408 1. Is a witness to a crime;

409 2. Has an immediate family member who is a witness to a  
410 crime; or

411 3. Has an immediate family member who is deceased as a  
412 result of a homicide.

413 (b) For the purposes of this subsection, reasonable  
414 accommodations may include, but are not limited to, the  
415 implementation of safety measures, including a transfer,  
416 reassignment, modified schedule, changed work telephone number,  
417 changed work station, installed lock, assistance in documenting  
418 crime that occurs in the workplace, an implemented safety  
419 procedure, or another reasonable adjustment to a job structure,  
420 workplace facility, or work requirement.

421 (c) An employer is not required to provide a reasonable  
422 accommodation to an employee who has not disclosed his or her  
423 status as a witness to a crime, as a person with an immediate  
424 family member who is a witness to a crime, or as a person who  
425 has an immediate family member who is deceased as a result of a

426 homicide.

427 (d) An employer must engage in a timely, good faith, and  
428 interactive process with the employee to determine effective  
429 reasonable accommodations.

430 (e) In determining whether the accommodation is  
431 reasonable, an employer shall consider any exigent circumstance  
432 or danger facing the employee.

433 (f) An employee seeking reasonable accommodations under  
434 this subsection must provide to his or her employer sufficient  
435 documentation of the crime if requested by the employer. The  
436 employer must accept any of the items listed in paragraph (4) (a)  
437 as sufficient documentation.

438 (g)1. If circumstances change and an employee needs a new  
439 accommodation, the employee shall request a new accommodation  
440 from the employer.

441 2. Upon receiving the request, the employer shall engage  
442 in a timely, good faith, and interactive process with the  
443 employee to determine effective reasonable accommodations.

444 (h) If an employee no longer needs an accommodation, the  
445 employee shall notify the employer that the accommodation is no  
446 longer needed.

447 (i) This subsection does not require the employer to  
448 undertake an action that constitutes an undue hardship on the  
449 employer's business operations.

450 (j) To the extent allowed by law, an employer must

451 maintain the confidentiality of all information relating to a  
452 request for reasonable accommodations made by an employee under  
453 this subsection.

454 (6) (a) An employer may not interfere with, restrain, or  
455 deny the exercise of or any attempt by an employee to exercise  
456 any right provided under this section.

457 (b) An employer may not discharge, demote, suspend,  
458 retaliate, or in any other manner discriminate against an  
459 employee for exercising his or her rights under this section  
460 through a request for leave or for reasonable accommodations,  
461 regardless of whether the request is granted.

462 (c) An employee has no greater rights to continued  
463 employment or to other benefits and conditions of employment  
464 than if the employee was not entitled to leave or reasonable  
465 accommodations under this section. This section does not limit  
466 the employer's right to discipline or terminate any employee for  
467 any reason, including, but not limited to, reductions in work  
468 force or termination for cause or for no reason at all, other  
469 than exercising his or her rights under this section.

470 (7) Notwithstanding any other law to the contrary, the  
471 sole remedy for any person claiming to be aggrieved by a  
472 violation of this section is to bring a civil suit for damages  
473 or equitable relief, or both, in circuit court. The person may  
474 claim as damages all wages and benefits that would have been due  
475 the person up to and including the date of the judgment had the

476 act violating this section not occurred, but the person may not  
477 claim wages or benefits for a period of leave granted without  
478 pay as provided in paragraph (2) (a). However, this section does  
479 not relieve the person from the obligation to mitigate his or  
480 her damages.

481 Section 4. Subsections (2) and (3) of section 741.313,  
482 Florida Statutes, are amended to read:

483 741.313 Unlawful action against employees seeking  
484 protection.—

485 (2) (a) An employer shall permit an employee to request and  
486 take up to 30 ~~3~~ working days of leave from work in any 12-month  
487 period if the employee or a family or household member of an  
488 employee is the victim of domestic violence or sexual violence.  
489 This leave may be with or without pay, at the discretion of the  
490 employer.

491 (b) This section applies if an employee uses the leave  
492 from work to:

493 1. Seek an injunction for protection against domestic  
494 violence or an injunction for protection in cases of repeat  
495 violence, domestic violence, dating violence, or sexual  
496 violence;

497 2. Obtain medical care or mental health counseling, or  
498 both, for the employee or a family or household member to  
499 address physical or psychological injuries resulting from the  
500 act of domestic violence or sexual violence;

501           3. Obtain services from a victim services organization,  
 502 including, but not limited to, a domestic violence shelter or  
 503 program or a rape crisis center as a result of the act of  
 504 domestic violence or sexual violence;

505           4. Make the employee's home secure ~~from the perpetrator of~~  
 506 ~~the domestic violence or sexual violence~~ or ~~to~~ seek new housing  
 507 to improve the employee's or a family or household member's  
 508 safety or psychological well-being ~~escape the perpetrator; or~~

509           5. Seek legal assistance in addressing issues arising from  
 510 the act of domestic violence or sexual violence or ~~to~~ attend and  
 511 prepare for court or court-related proceedings arising from the  
 512 act of domestic violence or sexual violence; ~~or~~

513           6. Seek a temporary restraining order, protective order,  
 514 or other injunction for protection; or

515           7. Make any other arrangements necessary to provide for  
 516 the safety or psychological well-being of the employee or a  
 517 family or household member following the act of domestic  
 518 violence or sexual violence.

519           (3) This section applies to an employer who employs 25 ~~50~~  
 520 or more employees and to an employee who has been employed by  
 521 the employer for 3 or more months.

522           Section 5. This act shall take effect July 1, 2021.