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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/30/2021	.	
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The Committee on Commerce and Tourism (Powell) recommended the following:

Senate Amendment (with title amendment)

Delete lines 15 - 17

and insert:

Section 1. Paragraph (d) of subsection (1) of section 443.091, Florida Statutes, is amended to read:

443.091 Benefit eligibility conditions.—

(1) An unemployed individual is eligible to receive benefits for any week only if the Department of Economic Opportunity finds that:



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11 (d) She or he is able to work and is available for work. In
12 order to assess eligibility for a claimed week of unemployment,
13 the department shall develop criteria to determine a claimant's
14 ability to work and availability for work. A claimant must be
15 actively seeking work in order to be considered available for
16 work. This means engaging in systematic and sustained efforts to
17 find work, including contacting at least three ~~five~~ prospective
18 employers for each week of unemployment claimed. For the
19 purposes of meeting the requirements of this paragraph, a
20 claimant may contact prospective employers by submitting a
21 resume to an employer through an online job search service or a
22 claimant may contact prospective employers through traditional
23 work searches. A claimant who submits a resume to at least three
24 employers through an online job search service satisfies the
25 work search requirements of this paragraph. The department may
26 require the claimant to provide proof of such efforts to the
27 one-stop career center as part of reemployment services. A
28 claimant's proof of work search efforts may not include the same
29 prospective employer at the same location in 3 consecutive
30 weeks, unless the employer has indicated since the time of the
31 initial contact that the employer is hiring. The department
32 shall conduct random reviews of work search information provided
33 by claimants. As an alternative to contacting at least three
34 ~~five~~ prospective employers for any week of unemployment claimed,
35 a claimant may, for that same week, report in person to a one-
36 stop career center to meet with a representative of the center
37 and access reemployment services of the center. The center shall
38 keep a record of the services or information provided to the
39 claimant and shall provide the records to the department upon



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40 request by the department. However:

41 1. Notwithstanding any other provision of this paragraph or
42 paragraphs (b) and (e), an otherwise eligible individual may not
43 be denied benefits for any week because she or he is in training
44 with the approval of the department, or by reason of s.

45 443.101(2) relating to failure to apply for, or refusal to
46 accept, suitable work. Training may be approved by the
47 department in accordance with criteria prescribed by rule. A
48 claimant's eligibility during approved training is contingent
49 upon satisfying eligibility conditions prescribed by rule.

50 2. Notwithstanding any other provision of this chapter, an
51 otherwise eligible individual who is in training approved under
52 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be
53 determined ineligible or disqualified for benefits due to
54 enrollment in such training or because of leaving work that is
55 not suitable employment to enter such training. As used in this
56 subparagraph, the term "suitable employment" means work of a
57 substantially equal or higher skill level than the worker's past
58 adversely affected employment, as defined for purposes of the
59 Trade Act of 1974, as amended, the wages for which are at least
60 80 percent of the worker's average weekly wage as determined for
61 purposes of the Trade Act of 1974, as amended.

62 3. Notwithstanding any other provision of this section, an
63 otherwise eligible individual may not be denied benefits for any
64 week because she or he is before any state or federal court
65 pursuant to a lawfully issued summons to appear for jury duty.

66 4. Union members who customarily obtain employment through
67 a union hiring hall may satisfy the work search requirements of
68 this paragraph by reporting daily to their union hall.



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69 5. The work search requirements of this paragraph do not
70 apply to persons who are unemployed as a result of a temporary
71 layoff or who are claiming benefits under an approved short-time
72 compensation plan as provided in s. 443.1116.

73 6. In small counties as defined in s. 120.52(19), a
74 claimant engaging in systematic and sustained efforts to find
75 work must contact at least three prospective employers for each
76 week of unemployment claimed.

77 7. The work search requirements of this paragraph do not
78 apply to persons required to participate in reemployment
79 services under paragraph (e).

80 Section 2. Subsection (3) and paragraph (b) of subsection
81 (5) of section 443.111, Florida Statutes, are amended, and
82 paragraph (b) of subsection (1) is republished, to read:

83 443.111 Payment of benefits.—

84 (1) MANNER OF PAYMENT.—Benefits are payable from the fund
85 in accordance with rules adopted by the Department of Economic
86 Opportunity, subject to the following requirements:

87 (b) As required under s. 443.091(1), each claimant must
88 report at least biweekly to receive reemployment assistance
89 benefits and to attest to the fact that she or he is able and
90 available for work, has not refused suitable work, is seeking
91 work and has met the requirements of s. 443.091(1)(d), and, if
92 she or he has worked, to report earnings from that work. Each
93 claimant must continue to report regardless of any appeal or
94 pending appeal relating to her or his eligibility or
95 disqualification for benefits.

96
97 ===== T I T L E A M E N D M E N T =====



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98 And the title is amended as follows:

99 Between lines 2 and 3

100 insert:

101 s. 443.091, F.S.; revising requirements for

102 reemployment assistance benefits eligibility; amending