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LEGISLATIVE ACTION

Senate

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House

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Senator Farmer moved the following:

1           **Senate Amendment to Amendment (913612) (with title**  
2 **amendment)**

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4           Between lines 6 and 7  
5 insert:

6           Section 2. Paragraph (d) of subsection (1) of section  
7 443.091, Florida Statutes, is amended to read:

8           443.091 Benefit eligibility conditions.—

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



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

35 1. Notwithstanding any other provision of this paragraph,  
36 an individual who is otherwise eligible for benefits may not be  
37 deemed ineligible for benefits for any week if his or her  
38 ability to work, or availability to work, is precluded by the  
39 claimant's:

40 a. Lack of available transportation to work;



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- 41           b. Sickness or disability;
- 42           c. Caring for a family member or a child; or
- 43           d. Pregnancy.

44           2. Notwithstanding any other provision of this paragraph or  
45 paragraphs (b) and (e), an otherwise eligible individual may not  
46 be denied benefits for any week because she or he is in training  
47 with the approval of the department, or by reason of s.  
48 443.101(2) relating to failure to apply for, or refusal to  
49 accept, suitable work. Training may be approved by the  
50 department in accordance with criteria prescribed by rule. A  
51 claimant's eligibility during approved training is contingent  
52 upon satisfying eligibility conditions prescribed by rule.

53           ~~3.2.~~ Notwithstanding any other provision of this chapter,  
54 an otherwise eligible individual who is in training approved  
55 under s. 236(a)(1) of the Trade Act of 1974, as amended, may not  
56 be determined ineligible or disqualified for benefits due to  
57 enrollment in such training or because of leaving work that is  
58 not suitable employment to enter such training. As used in this  
59 subparagraph, the term "suitable employment" means work of a  
60 substantially equal or higher skill level than the worker's past  
61 adversely affected employment, as defined for purposes of the  
62 Trade Act of 1974, as amended, the wages for which are at least  
63 80 percent of the worker's average weekly wage as determined for  
64 purposes of the Trade Act of 1974, as amended.

65           ~~4.3.~~ Notwithstanding any other provision of this section,  
66 an otherwise eligible individual may not be denied benefits for  
67 any week because she or he is before any state or federal court  
68 pursuant to a lawfully issued summons to appear for jury duty.

69           ~~5.4.~~ Union members who customarily obtain employment



70 through a union hiring hall may satisfy the work search  
71 requirements of this paragraph by reporting daily to their union  
72 hall.

73 ~~6.5.~~ The work search requirements of this paragraph do not  
74 apply to persons who are unemployed as a result of a temporary  
75 layoff or who are claiming benefits under an approved short-time  
76 compensation plan as provided in s. 443.1116.

77 ~~7.6.~~ In small counties as defined in s. 120.52(19), a  
78 claimant engaging in systematic and sustained efforts to find  
79 work must contact at least three prospective employers for each  
80 week of unemployment claimed.

81 ~~8.7.~~ The work search requirements of this paragraph do not  
82 apply to persons required to participate in reemployment  
83 services under paragraph (e).

84

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

86 And the title is amended as follows:

87 Delete line 2130

88 and insert:

89 An act relating to state financial matters; providing  
90 a short title; amending s. 443.091, F.S.; prohibiting  
91 otherwise eligible individuals from being deemed  
92 ineligible to receive reemployment assistance benefits  
93 if their ability or availability to work is precluded  
94 by specified circumstances;