

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Insurance offered the following:

**Substitute Amendment for Amendment (182513) (with title amendment)**

Remove from the bill: Everything after the enacting clause and insert in lieu thereof:

Section 1. 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 his or her work without good cause attributable to his or her employing unit or in which the individual has been discharged by his or her employing unit for misconduct connected with his or her work, if so found by the division. The term "work," as used in this paragraph, means any work, whether full-time, part-time, or temporary.

1. Disqualification for voluntarily quitting shall continue for the full period of unemployment next ensuing after he or she has left his or her full-time, part-time, or

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1 temporary work voluntarily without good cause and until such  
2 individual has earned income equal to or in excess of 17 times  
3 his or her weekly benefit amount. No other disqualification  
4 may be imposed. The term "good cause" as used in this  
5 subsection includes only such cause as is attributable to the  
6 employing unit or which consists of illness or disability of  
7 the individual requiring separation from his or her work or  
8 being a victim of domestic violence which results in being  
9 separated from work due to circumstances directly resulting  
10 from the individual's experience of domestic violence as  
11 defined in s. 414.0252. In addition, the victim must relocate  
12 to avoid the domestic violence.

13 a. An individual's separation from work shall be  
14 treated as due to circumstances directly resulting from the  
15 individual's experience of domestic violence if the individual  
16 establishes satisfactory proof, including corroborating  
17 evidence, which may include, but is not limited to, one of the  
18 following:

19 i. A restraining order or equitable relief;

20 ii. Police record documenting domestic violence;

21 iii. Proof of conviction of the domestic violence

22 perpetrator;

23 iv. Medical documentation of domestic violence;

24 v. Certification from a certified domestic violence

25 specialist that the individual is a domestic violence victim;

26 or

27 vi. Other documentation from a social worker, clergy

28 member, shelter worker, or other professional who assisted the

29 domestic violence victim in dealing with domestic violence.

30 b. If an individual's separation from work is

31 determined by the Division of Unemployment Compensation to be

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1 due to circumstances directly resulting from the individual's  
2 experience of domestic violence, an individual residing in  
3 Florida shall be referred to a certified domestic violence  
4 center to develop a plan to prepare the individual for  
5 self-sufficiency, while providing for the safety of the  
6 individual and the individual's dependents.

7 c. Funding for unemployment compensation claims based  
8 upon domestic violence shall be made only if provided by  
9 specific appropriation in this act or in the General  
10 Appropriations Act specific to this purpose. The division must  
11 determine that no other qualifying conditions for unemployment  
12 compensation benefits exist prior to qualifying a victim of  
13 domestic violence for the benefits provided in this section.  
14 The division shall refer the domestic violence victim to the  
15 appropriate agency, organization, or domestic violence center  
16 that provides counseling and supportive services. These  
17 referrals shall be made in such a manner as to protect the  
18 individual's confidentiality.

19 d. ~~No other disqualification may be imposed.~~An  
20 individual shall not be disqualified under this subsection for  
21 voluntarily leaving temporary work to return immediately when  
22 called to work by the permanent employing unit that  
23 temporarily terminated his or her work within the previous 6  
24 calendar months.

25 2. Disqualification for being discharged for  
26 misconduct connected with his or her work shall continue for  
27 the full period of unemployment next ensuing after having been  
28 discharged and until such individual has become reemployed and  
29 has earned income not less than 17 times his or her weekly  
30 benefit amount and for not more than 52 weeks that immediately  
31 follow such week, as determined by the division in each case

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1 according to the circumstances in each case or the seriousness  
2 of the misconduct, pursuant to rules of the division enacted  
3 for determinations of disqualification for benefits for  
4 misconduct.

5 Section 2. There is appropriated from the General  
6 Revenue Fund to the Department of Labor and Employment  
7 Security, Division of Unemployment Compensation, the sum of  
8 \$200,000 for the purpose of paying unemployment claims for  
9 victims of domestic violence as provided in section  
10 443.101(1)(a)1., Florida Statutes.

11 Section 3. This act shall take effect July 1, 2000.

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

15 And the title is amended as follows:

16 On page 1, line 7

18 after the semicolon, insert:

19 prescribing conditions; requiring satisfactory  
20 proof; requiring referral to a certified  
21 domestic violence center; conditioning payment  
22 of claims based on domestic violence upon  
23 specific appropriation; providing an  
24 appropriation;

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