

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Randolph offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 173-187

5
6 Remove lines 308-442 and insert:

7 after an individual has received 25 weeks of benefits in a
8 single year, suitable work is a job that pays the minimum wage
9 and is 120 percent or more of the weekly benefit amount the
10 individual is drawing.

11 (a) In determining whether or not any work is suitable for
12 an individual, the Agency for Workforce Innovation shall
13 consider the degree of risk involved to his or her health,
14 safety, and morals; his or her physical fitness and prior
15 training; the individual's experience and prior earnings; his or
16 her length of unemployment and prospects for securing local work
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17 in his or her customary occupation; and the distance of the
18 available work from his or her residence.

19 (b) Notwithstanding any other provisions of this chapter,
20 work is not deemed suitable and benefits may not be denied under
21 this chapter to any otherwise eligible individual for refusing
22 to accept new work under any of the following conditions:

23 1. If the position offered is vacant due directly to a
24 strike, lockout, or other labor dispute.

25 2. If the wages, hours, or other conditions of the work
26 offered are substantially less favorable to the individual than
27 those prevailing for similar work in the locality.

28 3. If as a condition of being employed, the individual
29 would be required to join a company union or to resign from or
30 refrain from joining any bona fide labor organization.

31 (c) If the Agency for Workforce Innovation finds that an
32 individual was rejected for offered employment as the direct
33 result of a positive, confirmed drug test required as a
34 condition of employment, the individual is disqualified for
35 refusing to accept an offer of suitable work.

36 (3) For any week with respect to which he or she is
37 receiving or has received remuneration in the form of:

38 (a) Wages in lieu of notice.

39 (b) Severance pay. The number of weeks that an
40 individual's severance pay disqualifies the individual is equal
41 to the amount of the severance pay divided by that individual's
42 average weekly wage received from the employer that paid the
43 severance pay, rounded down to the nearest whole number,

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44 beginning with the week the individual is separated from
45 employment.

46 ~~(c) (b) 1.~~ Compensation for temporary total disability or
47 permanent total disability under the workers' compensation law
48 of any state or under a similar law of the United States.

49
50 ~~2. However,~~ If the remuneration referred to in this subsection
51 ~~paragraphs (a) and (b)~~ is less than the benefits that would
52 otherwise be due under this chapter, an individual who is
53 otherwise eligible ~~he or she~~ is entitled to receive for that
54 week, ~~if otherwise eligible,~~ benefits reduced by the amount of
55 the remuneration.

56 (9) If the individual was terminated from his or her work
57 ~~for violation of any criminal law punishable by imprisonment, or~~
58 ~~for any dishonest act, in connection with his or her work,~~ as
59 follows:

60 (a) If the Agency for Workforce Innovation or the
61 Unemployment Appeals Commission finds that the individual was
62 terminated from ~~his or her~~ work for violation of any criminal
63 law, under any jurisdiction, which was punishable by
64 ~~imprisonment~~ in connection with his or her work, and the
65 individual was convicted ~~found guilty of the offense, made an~~
66 ~~admission of guilt in a court of law,~~ or entered a plea of
67 guilty or nolo contendere ~~no contest,~~ the individual is not
68 entitled to unemployment benefits for up to 52 weeks, pursuant
69 to ~~under~~ rules adopted by the agency ~~for Workforce Innovation,~~
70 and until he or she has earned income of at least 17 times his
71 or her weekly benefit amount. If, before an adjudication of

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72 | guilt, an admission of guilt, or a plea of nolo contendere ~~no~~
73 | ~~contest~~, the employer proves by competent substantial evidence
74 | to shows the agency ~~for Workforce Innovation~~ that the arrest was
75 | due to a crime against the employer or the employer's business,
76 | customers, or invitees ~~and, after considering all the evidence,~~
77 | ~~the Agency for Workforce Innovation finds misconduct in~~
78 | ~~connection with the individual's work~~, the individual is not
79 | entitled to unemployment benefits.

80 | (b) If the Agency for Workforce Innovation or the
81 | Unemployment Appeals Commission finds that the individual was
82 | terminated from work for any dishonest act in connection with
83 | his or her work, the individual is not entitled to unemployment
84 | benefits for up to 52 weeks, under rules adopted by the Agency
85 | for Workforce Innovation, and until he or she has earned income
86 | of at least 17 times his or her weekly benefit amount. In
87 | addition, if the employer terminates an individual as a result
88 | of a dishonest act in connection with his or her work and the
89 | Agency for Workforce Innovation finds misconduct in connection
90 | with his or her work, the individual is not entitled to
91 | unemployment benefits.

92 |
93 | With respect to an individual disqualified for benefits, the
94 | account of the terminating employer, if the employer is in the
95 | base period, is noncharged at the time the disqualification is
96 | imposed.

97 | (12) For any week in which the individual is unavailable
98 | for work due to incarceration or imprisonment.

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

Remove lines 10-24 and insert:

and additional lapses in behavior; amending s. 443.091, F.S.;
conforming provisions to changes made by the act; requiring that
an applicant for benefits participate in an initial skills
review; providing exceptions; requiring the administrator or
operator of the initial skills review to notify specified
entities regarding review completion and results; amending s.
443.101, F.S.; clarifying "good cause" for voluntarily leaving
employment; disqualifying a person for benefits due to the
receipt of severance pay; revising provisions relating to the
effects of criminal acts on eligibility for benefits; amending
s. 443.1216,