

**By** the Committee on Commerce and Tourism; and Senators Brodeur, Taddeo, Stewart, Garcia, and Gruters

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1                   A bill to be entitled  
2       An act relating to reemployment assistance; amending  
3       s. 443.091, F.S.; revising requirements for  
4       reemployment assistance benefits eligibility; amending  
5       s. 443.111, F.S.; increasing the weekly benefit  
6       amounts an individual may receive; increasing the cap  
7       on the total benefit amount an individual is entitled  
8       to receive during a benefit year; reenacting ss.  
9       443.041(2)(b) and 443.1116(6) and (8)(a), F.S.,  
10      relating to fees and short-time compensation,  
11      respectively, to incorporate the amendments made to s.  
12      443.111, F.S., in references thereto; providing an  
13      effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17       Section 1. Paragraphs (c) and (d) of subsection (1) of  
18      section 443.091, Florida Statutes, are amended to read:

19       443.091 Benefit eligibility conditions.—

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

23       (c) To make continued claims for benefits, she or he is  
24      reporting to the department in accordance with this paragraph  
25      and department rules. Department rules may not conflict with s.  
26      443.111(1)(b), which requires that each claimant continue to  
27      report regardless of any pending appeal relating to her or his  
28      eligibility or disqualification for benefits.

29       1. For each week of unemployment claimed, each report must,

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30 at a minimum, include the name ~~and~~, address, ~~and telephone~~  
31 ~~number~~ of each prospective employer contacted, or the date the  
32 claimant reported to a one-stop career center, pursuant to  
33 paragraph (d). For the purposes of this subparagraph, the term  
34 "address" means a website address, a physical address, or an e-  
35 mail address.

36 2. The department shall offer an online assessment aimed at  
37 identifying an individual's skills, abilities, and career  
38 aptitude. The skills assessment must be voluntary, and the  
39 department shall allow a claimant to choose whether to take the  
40 skills assessment. The online assessment shall be made available  
41 to any person seeking services from a local workforce  
42 development board or a one-stop career center.

43 a. If the claimant chooses to take the online assessment,  
44 the outcome of the assessment shall be made available to the  
45 claimant, local workforce development board, and one-stop career  
46 center. The department, local workforce development board, or  
47 one-stop career center shall use the assessment to develop a  
48 plan for referring individuals to training and employment  
49 opportunities. Aggregate data on assessment outcomes may be made  
50 available to CareerSource Florida, Inc., and Enterprise Florida,  
51 Inc., for use in the development of policies related to  
52 education and training programs that will ensure that businesses  
53 in this state have access to a skilled and competent workforce.

54 b. Individuals shall be informed of and offered services  
55 through the one-stop delivery system, including career  
56 counseling, the provision of skill match and job market  
57 information, and skills upgrade and other training  
58 opportunities, and shall be encouraged to participate in such

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59 services at no cost to the individuals. The department shall  
60 coordinate with CareerSource Florida, Inc., the local workforce  
61 development boards, and the one-stop career centers to identify,  
62 develop, and use best practices for improving the skills of  
63 individuals who choose to participate in skills upgrade and  
64 other training opportunities. The department may contract with  
65 an entity to create the online assessment in accordance with the  
66 competitive bidding requirements in s. 287.057. The online  
67 assessment must work seamlessly with the Reemployment Assistance  
68 Claims and Benefits Information System.

69 (d) She or he is able to work and is available for work. In  
70 order to assess eligibility for a claimed week of unemployment,  
71 the department shall develop criteria to determine a claimant's  
72 ability to work and availability for work. A claimant must be  
73 actively seeking work in order to be considered available for  
74 work. This means engaging in systematic and sustained efforts to  
75 find work, including contacting at least three ~~five~~ prospective  
76 employers for each week of unemployment claimed. For the  
77 purposes of meeting the requirements of this paragraph, a  
78 claimant may contact a prospective employer by submitting a  
79 resume to an employer through an online job search service. A  
80 claimant who submits a resume to at least three employers  
81 through an online job search service satisfies the work search  
82 requirements of this paragraph. The department may require the  
83 claimant to provide proof of such efforts to the one-stop career  
84 center as part of reemployment services. A claimant's proof of  
85 work search efforts may not include the same prospective  
86 employer at the same location in 3 consecutive weeks, unless the  
87 employer has indicated since the time of the initial contact

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88 that the employer is hiring. The department shall conduct random  
89 reviews of work search information provided by claimants. As an  
90 alternative to contacting at least three ~~five~~ prospective  
91 employers for any week of unemployment claimed, a claimant may,  
92 for that same week, report in person to a one-stop career center  
93 to meet with a representative of the center and access  
94 reemployment services of the center. The center shall keep a  
95 record of the services or information provided to the claimant  
96 and shall provide the records to the department upon request by  
97 the department. However:

98 1. Notwithstanding any other provision of this paragraph or  
99 paragraphs (b) and (e), an otherwise eligible individual may not  
100 be denied benefits for any week because she or he is in training  
101 with the approval of the department, or by reason of s.  
102 443.101(2) relating to failure to apply for, or refusal to  
103 accept, suitable work. Training may be approved by the  
104 department in accordance with criteria prescribed by rule. A  
105 claimant's eligibility during approved training is contingent  
106 upon satisfying eligibility conditions prescribed by rule.

107 2. Notwithstanding any other provision of this chapter, an  
108 otherwise eligible individual who is in training approved under  
109 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be  
110 determined ineligible or disqualified for benefits due to  
111 enrollment in such training or because of leaving work that is  
112 not suitable employment to enter such training. As used in this  
113 subparagraph, the term "suitable employment" means work of a  
114 substantially equal or higher skill level than the worker's past  
115 adversely affected employment, as defined for purposes of the  
116 Trade Act of 1974, as amended, the wages for which are at least

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117 80 percent of the worker's average weekly wage as determined for  
118 purposes of the Trade Act of 1974, as amended.

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

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

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

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

134 7. The work search requirements of this paragraph do not  
135 apply to persons required to participate in reemployment  
136 services under paragraph (e).

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

140 443.111 Payment of benefits.—

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

144 (b) As required under s. 443.091(1), each claimant must  
145 report at least biweekly to receive reemployment assistance

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146 benefits and to attest to the fact that she or he is able and  
147 available for work, has not refused suitable work, is seeking  
148 work and has met the requirements of s. 443.091(1)(d), and, if  
149 she or he has worked, to report earnings from that work. Each  
150 claimant must continue to report regardless of any appeal or  
151 pending appeal relating to her or his eligibility or  
152 disqualification for benefits.

153 (3) WEEKLY BENEFIT AMOUNT.—An individual's "weekly benefit  
154 amount" is an amount equal to one twenty-sixth of the total  
155 wages for insured work paid during that quarter of the base  
156 period in which the total wages paid were the highest, but not  
157 less than \$100 ~~\$32~~ or more than \$375 ~~\$275~~. The weekly benefit  
158 amount, if not a multiple of \$1, is rounded downward to the  
159 nearest full dollar amount. The maximum weekly benefit amount in  
160 effect at the time the claimant establishes an individual weekly  
161 benefit amount is the maximum benefit amount applicable  
162 throughout the claimant's benefit year.

163 (5) DURATION OF BENEFITS.—

164 (b) Each otherwise eligible individual is entitled during  
165 any benefit year to a total amount of benefits equal to 25  
166 percent of the total wages in his or her base period, not to  
167 exceed \$8,625 ~~\$6,325~~ or the product arrived at by multiplying  
168 the weekly benefit amount with the number of weeks determined in  
169 paragraph (c), whichever is less. However, the total amount of  
170 benefits, if not a multiple of \$1, is rounded downward to the  
171 nearest full dollar amount. These benefits are payable at a  
172 weekly rate no greater than the weekly benefit amount.

173 Section 3. For the purpose of incorporating the amendment  
174 made by this act to section 443.111, Florida Statutes, in a

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175 reference thereto, paragraph (b) of subsection (2) of section  
176 443.041, Florida Statutes, is reenacted to read:

177 443.041 Waiver of rights; fees; privileged communications.—

178 (2) FEES.—

179 (b) An attorney at law representing a claimant for benefits  
180 in any district court of appeal of this state or in the Supreme  
181 Court of Florida is entitled to counsel fees payable by the  
182 department as set by the court if the petition for review or  
183 appeal is initiated by the claimant and results in a decision  
184 awarding more benefits than provided in the decision from which  
185 appeal was taken. The amount of the fee may not exceed 50  
186 percent of the total amount of regular benefits permitted under  
187 s. 443.111(5) (b) during the benefit year.

188 Section 4. For the purpose of incorporating the amendment  
189 made by this act to section 443.111, Florida Statutes, in a  
190 reference thereto, subsection (6) and paragraph (a) of  
191 subsection (8) of section 443.1116, Florida Statutes, are  
192 reenacted to read:

193 443.1116 Short-time compensation.—

194 (6) WEEKLY SHORT-TIME COMPENSATION BENEFIT AMOUNT.—The  
195 weekly short-time compensation benefit amount payable to an  
196 individual is equal to the product of her or his weekly benefit  
197 amount as provided in s. 443.111(3) and the ratio of the number  
198 of normal weekly hours of work for which the employer would not  
199 compensate the individual to the individual's normal weekly  
200 hours of work. The benefit amount, if not a multiple of \$1, is  
201 rounded downward to the next lower multiple of \$1.

202 (8) EFFECT OF SHORT-TIME COMPENSATION BENEFITS RELATING TO  
203 THE PAYMENT OF REGULAR AND EXTENDED BENEFITS.—

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204           (a) The short-time compensation benefits paid to an  
205 individual shall be deducted from the total benefit amount  
206 established for that individual in s. 443.111(5).

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