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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/25/2021 01:53 PM

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Senator Farmer moved the following:

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

3
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 three ~~five~~ prospective
19 employers for each week of unemployment claimed. For the
20 purposes of meeting the requirements of this paragraph, a
21 claimant may contact prospective employers by submitting a
22 resume to an employer through an online job search service or a
23 claimant may contact prospective employers through traditional
24 work searches. A claimant who submits a resume to at least three
25 employers through an online job search service satisfies the
26 work search requirements of this paragraph. The department may
27 require the claimant to provide proof of such efforts to the
28 one-stop career center as part of reemployment services. A
29 claimant's proof of work search efforts may not include the same
30 prospective employer at the same location in 3 consecutive
31 weeks, unless the employer has indicated since the time of the
32 initial contact that the employer is hiring. The department
33 shall conduct random reviews of work search information provided
34 by claimants. As an alternative to contacting at least three
35 ~~five~~ prospective employers for any week of unemployment claimed,
36 a claimant may, for that same week, report in person to a one-
37 stop career center to meet with a representative of the center
38 and access reemployment services of the center. The center shall
39 keep a record of the services or information provided to the
40 claimant and shall provide the records to the department upon



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41 request by the department. However:

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

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

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

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

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



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

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

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

81 Section 3. For the purpose of incorporating the amendment
82 made by this act to section 443.091, Florida Statutes, in a
83 reference thereto, paragraph (b) of subsection (1) of section
84 443.111, Florida Statutes, is reenacted to read:

85 443.111 Payment of benefits.—

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

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

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

100 And the title is amended as follows:

101 Delete line 2130

102 and insert:

103 An act relating to state financial matters; providing
104 a short title; amending s. 443.091, F.S.; revising
105 requirements for reemployment assistance benefits
106 eligibility; reenacting s. 443.111(1)(b), F.S.,
107 relating to payment of benefits, to incorporate the
108 amendments made to s. 443.091, F.S., in a reference
109 thereto;