



130190

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

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:



130190

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;



130190

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



130190

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;