Amendment No.3

COMMITTEE/SUBCOMMI	ITTEE ACTION
ADOPTED	(Y/N)
ADOPTED AS AMENDED	(Y/N)
ADOPTED W/O OBJECTION	(Y/N)
FAILED TO ADOPT	(Y/N)
WITHDRAWN	(Y/N)
OTHER	

Committee/Subcommittee hearing bill: Judiciary Committee Representative Diamond offered the following:

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## Amendment (with title amendment)

Between lines 59 and 60, insert:

Section 1. Subsection (4) is added to section 448.102, Florida Statutes, to read:

- 448.102 Prohibitions.— An employer may not take any retaliatory personnel action against an employee because the employee has:
- (4) Reasonably refused to report to his or her assigned physical place of employment under any of the following circumstances:
- (a) The employee tested positive for COVID-19, otherwise known as the novel coronavirus, and is following a licensed physician's written direction or applicable Florida Department

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of Health guidelines issued in response to the COVID-19
pandemic.
(b) The employee was ordered to quarantine due to COVID-19
by the Florida Department of Health or its equivalent in the
employee's state of residence.
(c) The employee experienced COVID-19 symptoms, recognized
as such by the Centers for Disease Control and Prevention, and
made a reasonably diligent effort to be tested for COVID-19 upon
the onset of such symptoms.
This subsection does not apply to an employee whose physical
place of employment is his or her place of residence. Nothing in
this subsection shall prevent an employer from terminating an
employee from employment if that employee has been absent from
work due to COVID-19 related issues for more than 21 consecutive
days, or a total of 21 days within a 90 day period. Nothing in
this subsection is intended to interfere with an employee's
rights under the Family and Medical Leave Act of 1993, 29 U.S.C.
s. 2601, et seq.
TITLE AMENDMENT

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Remove line 3 and insert:

relating to COVID-19; amending s. 448.102, F.S.; prohibiting an

employer from taking retaliatory personnel action against an

## COMMITTEE/SUBCOMMITTEE AMENDMENT

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Amendment No.3

2	employee testing positive for, exhibiting symptoms of, or
13	ordered to quarantine due to COVID-19 under specified
4	circumstances; creating s. 768.38, F.S.;

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