

Regular Session, 2009

HOUSE BILL NO. 610

BY REPRESENTATIVE RICHMOND

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

UNEMPLOYMENT COMP: Expands unemployment compensation benefits

1 AN ACT

2 To amend and reenact R.S. 23:1472(4) and to enact R.S. 23:1600(9) and 1600.1, relative to
3 unemployment compensation benefits; to define "base period"; to provide for benefit
4 eligibility conditions for an individual separating from work due to compelling
5 family reasons; to provide for benefit eligibility conditions for an individual seeking
6 part-time work; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1472(4) is hereby amended and reenacted and R.S. 23:1600(9)
9 and 1600.1 are hereby enacted to read as follows:

10 §1472. Definitions

11 As used in this Chapter, the following terms shall have the meaning ascribed
12 to them in this Section, unless the context clearly indicates otherwise:

13 * * *

14 (4) "Base period" means the ~~first four of the last five complete~~ last four
15 completed calendar quarters immediately preceding the first day of an individual's
16 benefit year.

17 * * *

18 §1600. Benefit eligibility conditions

19 An unemployed individual shall be eligible to receive benefits only if the
20 administrator finds that:

21 * * *

1 (9) He has left his employment for the following compelling family reasons:

2 (a) Domestic abuse, as defined in R.S. 46:2132 and verified under the
3 provisions of R.S. 23:1775, which causes the individual to reasonably believe that
4 continued employment will jeopardize the individual's safety, the safety of a member
5 of the individual's immediate family, or the safety of other employees.

6 (b) The illness or disability of a member of the individual's immediate
7 family.

8 (c) The need for the individual to accompany his or her spouse to a place
9 from which it is impractical for the individual to commute or due to a change in the
10 location of the spouse's employment.

11 (d) For the purposes of this Paragraph, the following terms have the
12 following meanings:

13 (i) "Disability" means a verified disability that necessitates the care of the
14 family member for a period of time longer than the employer is willing to grant
15 leave. "Disability" includes mental and physical disabilities; permanent and
16 temporary disabilities; and partial and total disabilities.

17 (ii) "Illness" means a verified illness that necessitates the care of the family
18 member for a period of time longer than the employer is willing to grant leave.

19 (iii) "Immediate family" means a spouse, parent, child, stepchild or sibling.

20 §1600.1. Benefits due to seeking part-time work

21 No individual, who is otherwise eligible, shall be deemed unavailable for
22 work or ineligible for benefits solely for the reason that the individual is available
23 for, seeks, applies for, or accepts only part-time work, instead of full-time work, if
24 the claim is based on part-time employment and the individual is actively seeking
25 and is willing to accept work under the same conditions as existed during the
26 individual's base-period employment.

27 Section 2. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Richmond

HB No. 610

Abstract: Provides for the definition of "base period". Expands unemployment benefits eligibility to individuals who separate from work due to compelling family reasons and to individuals seeking part-time employment.

Present law (R.S. 23:1472(4)) defines "base period" as the first four of the last five complete calendar quarters immediately preceding the first day of an individual's benefit year.

Proposed law changes present law by defining "base period" as the last four completed calendar quarters immediately preceding the first day of an individual's benefit year.

Present law (R.S. 23:1600) provides an unemployed individual shall be eligible to receive benefits only if the administrator finds:

- (1) He has a claim in accordance with present law.
- (2) He has registered for work at, and has continued to report to, an employment office in accordance with the administrators regulations.
- (3) He is able to work, available for work, and is conducting an active search for work.
- (4) He has been unemployed for a waiting period of one week.
- (5) He has during his base period been paid wages for insured work equal to at least one and one-half times the wages paid to him in that calendar quarter in which his wages were the highest.

Present law (R.S. 23:1600(6)) provides that benefits based on service in employment shall be payable in the same amount, on the same terms and subject to the same conditions as benefits payable on the basis of other services.

Present law (R.S. 23:1600(7)) provides that wages for insured work for weeks of unemployment beginning on or after Jan. 1, 1978, shall include wages paid for previously uncovered services.

Present law (R.S. 23:1600(8)) requires an individual filing a new claim for unemployment compensation shall, at the time of filing such claim, disclose whether or not the individual owes child support obligations.

Proposed law (R.S. 23:1600(9)) retains present law provisions and provides that an individual shall be eligible for unemployment benefits in the event he leaves his employment for compelling family reasons such as domestic abuse, illness or disability of an immediate family member, or the relocation of a spouse for employment.

Proposed law defines "immediate family" as a spouse, parent, child, stepchild, or sibling.

Proposed law defines "illness" as a verified illness that necessitates the care of the family member for a period longer than the employer is willing to grant leave.

Proposed law defines "disability" as a verified disability that necessitates the care of the family member for a period longer than the employer is willing to grant leave. "Disability" includes mental and physical disabilities, permanent and temporary disabilities, and partial and total disabilities.

Proposed law (R.S. 23:1600.1) provides for the eligibility of an individual who is available for, seeks, applies for, or accepts part-time work if the claim is based on part-time employment and the individual is actively seeking similar working conditions that existed during the individual's base period.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 23:1472(4); Adds R.S. 23:1600(9) and 1600.1)