

2016 Regular Session

HOUSE BILL NO. 941

BY REPRESENTATIVE HORTON

UNEMPLOYMENT COMP: Provides for unemployment compensation for military spouses who resign employment to relocate pursuant to a permanent change of station order

1 AN ACT

2 To amend and reenact R.S. 23:1603, relative to unemployment compensation; to provide
3 exceptions for disqualification for benefits; to provide that a resignation in order to
4 relocate pursuant to an order for a permanent change of station is not a disqualifying
5 separation of employment for certain military spouses; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1603 is hereby amended and reenacted to read as follows:

9 §1603. Prohibition against disqualification ~~of individuals in approved training;~~
10 approved training; military spouse relocation

11 A.(1) Notwithstanding any other provisions of this Chapter, no individual
12 who is otherwise eligible for benefits shall be ~~denied~~ disqualified for benefits for any
13 week he is in training approved ~~under~~ pursuant to 19 U.S.C. §2296 ~~because~~ as a
14 result of either of the following:

15 ~~(1) he left work~~ (a) He resigned from his employment to enter such training,
16 provided the ~~work left~~ employment from which he resigned is not suitable
17 employment; or,

1 ~~(2) of the~~ (b) The application of any state or federal unemployment
2 compensation law relating to availability for work, active search for work, or refusal
3 to accept work.

4 (2) For purposes of this Section, the term "suitable employment" means ~~with~~
5 ~~respect to an individual,~~ work of a substantially equal or higher skill level than the
6 individual's past adversely affected employment, as defined for purposes of the
7 Trade Act of 1974, 19 U.S.C. §2101, et seq., and for which the wages are not less
8 than eighty percent of the individual's prior average weekly wage as determined for
9 the purposes of the Trade Act of 1974.

10 B. No individual who is otherwise eligible for benefits shall be disqualified
11 for benefits pursuant to the provisions of this Chapter if all of the following
12 conditions are met:

13 (1) He is the spouse of an active-duty military service person.

14 (2) His spouse receives an order of permanent change of station.

15 (3) He has resigned his employment to relocate with his spouse pursuant to
16 an order of permanent change of station.

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)]

HB 941 Original

2016 Regular Session

Horton

Abstract: Provides that a spouse of a military service member shall not be disqualified for unemployment compensation benefits if he resigns employment to relocate with his spouse pursuant to an order of permanent change of station.

Present law (R.S. 23:1601) provides that in a claim for unemployment compensation, an individual is disqualified for benefits if he:

- (1) Left his employment without good cause attributable to a substantial change in employment.
- (2) Is employed by a staffing firm and does not contact the staffing firm for reassignment after completing an assignment.
- (3) Has been discharged for misconduct connected with his employment.

- (4) Fails to apply for available, suitable work when so directed by the administrator, or to accept suitable work when offered to him, or to return to his customary self-employment when so directed by the administrator.
- (5) Is unemployed because he is participating in a labor strike.
- (6) Is seeking unemployment compensation from another state.
- (7) Makes a false statement or representation to obtain or increase his benefits.
- (8) Has been discharged for the use of illegal drugs.
- (9) Has not, after participation in a work-release program, worked and earned wages for insured work.

Proposed law retains present law.

Present law (R.S. 23:1603) provides that no individual shall be disqualified from benefits if he left his employment to participate in an approved training pursuant to federal law if no suitable employment is available or because of the application of any state or federal law relative to the availability of work, active search for work, or refusal to accept work.

Proposed law retains present law and further provides that an individual shall not be disqualified from receiving benefits if he is otherwise eligible to receive benefits, is the spouse of a military service member, and resigns his employment in order to relocate with his spouse pursuant to an order of permanent change of station.

(Amends R.S. 23:1603)