
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 1142 Engrossed

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 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 provides an exception to disqualification by voluntarily resigning which provides that no individual shall be disqualified from benefits for leaving part-time employment in order to protect his full-time employment.

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.

Present law provides that benefits charged after a requalification for benefits shall not be charged against an employer's experience-rating if the employer files a separation notice alleging disqualification, a notice of claim or a response to a notice to base period employer is filed, or the separation is determined to have been under disqualifying conditions.

Present law further provides that amounts waived that were paid pursuant to an agency, appeal referee, board of review, or court decision shall be recouped as a social charge to all employers.

Proposed law retains present law and further provides that benefits paid to an employee who leaves his job pursuant to his spouse's permanent change of station order shall not be charged against the experience rating of an employer from whom an employee leaves to relocate and shall be recouped as a social charge.

(Amends R.S. 23:1553(B)(5)-(11); Adds R.S. 23:1553(B)(12) and 1601(1)(d))