

House Bill 591

By: Representatives Orrock of the 51<sup>st</sup>, Childers of the 13<sup>th</sup>, Post 1, Smyre of the 111<sup>th</sup>, Sinkfield of the 50<sup>th</sup>, Moraitakis of the 42<sup>nd</sup>, Post 4, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to  
2 employment security, so as to provide that certain persons seeking part-time work are not  
3 disqualified from receiving benefits by that fact alone; to provide that certain persons may  
4 be unemployed through no fault of their own due to undue family hardship arising out of  
5 domestic violence or compelling family obligations and may therefore be eligible for  
6 unemployment compensation; to provide for related matters; to repeal conflicting laws; and  
7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to employment  
11 security, is amended by striking Code Section 34-8-24, relating to the definition of bona fide  
12 in the labor market, and inserting in lieu thereof the following:

13 "34-8-24.

14 As used in this chapter, the term 'bona fide in the labor market' means that any person  
15 claiming benefits under this chapter must be available for full-time or part-time  
16 employment, as that term is generally understood in the trade or work classification  
17 involved, without regard to prior work restrictions; provided in the case of availability for  
18 part-time employment that there is a labor market in which a reasonable demand exists for  
19 the part-time services which the claimant offers."

20 **SECTION 2.**

21 Said chapter is further amended by adding following Code Section 34-8-194, relating to  
22 grounds for disqualification of benefits, a new Code section to read as follows:

23 "34-8-194.1.

24 Whenever an individual is separated from work for reasons based on undue family  
25 hardship, such individual shall be deemed for all purposes to be unemployed through no

1 fault of his or her own and good cause shall be found to exist to justify his or her voluntary  
2 or involuntary separation from employment, provided that such individual took reasonable  
3 steps to preserve the employment relationship. 'Undue family hardship' shall include, but  
4 not be limited to:

5 (1) Circumstances resulting from an individual's status as a victim of family violence,  
6 provided that such individual provides one or more of the following items:

7 (A) A temporary protective order, restraining order, or other order for equitable relief  
8 issued by a court of competent jurisdiction involving family violence;

9 (B) A police report reflecting the family violence;

10 (C) Proof that the alleged perpetrator of the family violence has been convicted of a  
11 prior crime of family violence;

12 (D) Medical evidence of the family violence;

13 (E) A letter from a domestic violence shelter certified by the State of Georgia stating  
14 that the person is a victim of family violence; or

15 (F) Other written evidence of family violence provided by a social worker, member of  
16 the clergy, domestic violence shelter worker, or other professional who has assisted the  
17 person in dealing with the family violence; and

18 (2) Circumstances relating to the health, care, or welfare of the individual or individual's  
19 family of such a compelling nature as to require the individual's presence, including but  
20 not limited to the following:

21 (A) The individual knows or reasonably believes that a member of the individual's  
22 family is seriously ill and there is no reasonable alternative to the individual's presence;

23 (B) The individual's family member is facing imminent death;

24 (C) The individual knows or reasonably believes that a member of the individual's  
25 family is seriously ill so as to require that the individual make a change of residence for  
26 that person's care or welfare, making it impossible or impractical for the individual to  
27 commute to work;

28 (D) The individual's family member is elderly and unable to care for himself or herself  
29 and there is no reasonable alternative to the individual's presence;

30 (E) The individual's minor child requires care and supervision and there is no  
31 reasonable alternative to the individual's presence; or

32 (F) The individual is seriously ill, which makes it impossible for the individual to  
33 continue the employment.

34 There shall be no charge against the employer's experience rating account for benefits paid  
35 under the provisions of this Code section."

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**SECTION 3.**

2 All laws and parts of laws in conflict with this Act are repealed.