

House Bill 1583

By: Representatives Smith of the 129<sup>th</sup>, Post 2, Mosley of the 129<sup>th</sup>, Post 1, Orrock of the 51<sup>st</sup>, Hugley of the 113<sup>th</sup>, Stanley-Turner of the 43<sup>rd</sup>, Post 2, 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 persons unemployed through no fault of their own  
3 due to undue family hardship arising out of domestic violence or compelling family  
4 obligations may be eligible for unemployment compensation; to repeal conflicting laws; and  
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to employment  
9 security, is amended by adding following Code Section 34-8-194, relating to grounds for  
10 disqualification of benefits, a new Code section to read as follows:

11 "34-8-194.1.

12 Whenever an individual is separated from work for reasons based on undue family  
13 hardship, such individual shall be deemed for all purposes to be unemployed through no  
14 fault of his or her own, and good cause shall be found to exist to justify his or her voluntary  
15 or involuntary separation from employment, provided that such individual took reasonable  
16 steps to preserve the employment relationship. 'Undue family hardship' shall include, but  
17 not be limited to:

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

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

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

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

25 (D) Medical evidence of the family violence;

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

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

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

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

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

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

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

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

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

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

## 24 SECTION 2.

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