

Senate Bill 42

By: Senators Butler of the 55th, Jones II of the 22nd, Davenport of the 44th, Tate of the 38th, Seay of the 34th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 34-8-194 of the Official Code of Georgia Annotated, relating to  
2 grounds for disqualification of benefits, so as to provide that leaving an employer due to  
3 family violence shall establish good cause in connection with a claim for unemployment  
4 benefits; to provide that an employer's account shall not be charged for the payment of such  
5 benefits; to provide for definitions; to provide for related matters; to provide for an effective  
6 date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 34-8-194 of the Official Code of Georgia Annotated, relating to grounds for  
10 disqualification of benefits, is amended by revising paragraph (1) as follows:

11 ~~“(1)(A) For the week or fraction thereof in which the individual has filed an otherwise~~  
12 ~~valid claim for benefits after such individual has left the most recent employer~~  
13 ~~voluntarily without good cause in connection with the individual's most recent work.~~

14 (B) Good cause in connection with the individual's most recent work shall be  
15 determined by the Commissioner according to the circumstances in the case; provided,  
16 however, that the following circumstances shall be deemed to establish such good cause  
17 and the employer's account shall not be charged for any benefits paid out to an  
18 individual who leaves an employer:

19 ~~(i) To leaving an employer to accompany a spouse who has been reassigned from one~~  
20 ~~military assignment to another shall be deemed to be for good cause; provided,~~  
21 ~~however, that the employer's account shall not be charged for any benefits paid out~~  
22 ~~to the person who leaves to accompany a spouse reassigned from one military~~  
23 ~~assignment to another.; or~~

24 (ii) Due to family violence verified by reasonable documentation demonstrating that:

25 (I) Leaving the employer was a condition of receiving services from a family  
26 violence shelter;

27 (II) Leaving the employer was a condition of receiving shelter as a resident of a  
28 family violence shelter; or

29 (III) Such family violence caused the individual to reasonably believe that the  
 30 claimant's continued employment would jeopardize the safety of the claimant or the  
 31 safety of any member of the claimant's immediate family.

32 For purposes of this subparagraph, the term 'family violence' shall have the same  
 33 meaning as in Code Section 19-13-1 and the term 'family violence shelter' shall have  
 34 the same meaning as in Code Section 19-13-20.

35 (C) To requalify following a disqualification, an individual must secure subsequent  
 36 employment for which the individual earns insured wages equal to at least ten times the  
 37 weekly benefit amount of the claim and then becomes unemployed through no fault on  
 38 the part of the individual.

39 (D) Notwithstanding the foregoing, in the Commissioner's determination the  
 40 When voluntarily leaving an employer, the burden of proof of good work connected cause for  
 41 voluntarily leaving such work in connection with the individual's most recent work  
 42 shall be on the individual.

43 (E) Benefits shall not be denied under this paragraph, however, to an individual for  
 44 separation from employment pursuant to a labor management contract or agreement or  
 45 pursuant to an established employer plan, program, policy, layoff, or recall which  
 46 permits the individual, because of lack of work, to accept a separation from  
 47 employment;"

48 **SECTION 2.**

49 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 50 without such approval.

51 **SECTION 3.**

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