

Senate Bill 167

By: Senators Lamutt of the 21st, Golden of the 8th, Shafer of the 48th, Balfour of the 9th and Seabaugh of the 28th

AS PASSED

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 for an extension of the reduction in contribution rates
3 through December 31, 2004; to extend the suspension of the surcharge based upon the
4 State-wide Reserve Ratio; to amend Code Section 34-8-195 of the Official Code of Georgia
5 Annotated, relating to determination of eligibility for unemployment benefits generally, so
6 as to provide that employees of employee leasing companies and professional employer
7 organizations shall be presumed to have voluntarily left employment without good cause if
8 the employees do not contact the employee leasing companies and professional employer
9 organizations for reassignment upon the completion of an assignment; to provide for related
10 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to employment
14 security, is amended by striking subparagraph (d)(4)(B) of Code Section 34-8-156, relating
15 to the State-wide Reserve Ratio, and inserting in lieu thereof a new subparagraph (d)(4)(B)
16 to read as follows:

17 "(B) Except for any year or portion of a year during which the provisions of
18 paragraph (1) of subsection (f) of Code Section 34-8-155 apply, when the State-wide
19 Reserve Ratio, as calculated above, is less than 1.7 percent, there shall be an overall
20 increase in the rate, as of the computation date, for each employer whose rate is
21 computed under a rate table in Code Section 34-8-155 in accordance with the following
22 table:

23 If the State-wide Reserve Ratio:

24	Equals or	But Is	Overall
25	<u>Exceeds</u>	<u>Less Than</u>	<u>Increase</u>

1	1.5 percent	1.7 percent	25 percent
2	1.25 percent	1.5 percent	50 percent
3	0.75 percent	1.25 percent	75 percent
4	Under 0.75 percent		100 percent

5 provided, however, that for the period of January 1 through December 31, ~~2003~~ 2004,
6 the overall increase in the rate required under this subparagraph shall be suspended and
7 the provisions of this subparagraph shall be null and void, except in the event the
8 State-wide Reserve Ratio, as calculated above, is less than 1.00 percent, then the
9 Commissioner of Labor shall have the option of imposing an increase in the overall rate
10 of up to 35 percent, as of the computation date, for each employer whose rate is
11 computed under a rate table in Code Section 34-8-155. The issues of part-time
12 employment coverage and military transfer coverage will be considered in a study
13 committee to meet in the summer of 2003."

14 SECTION 2.

15 Code Section 34-8-195 of the Official Code of Georgia Annotated, relating to determination
16 of eligibility for unemployment benefits generally, is amended by striking subsection (c) and
17 inserting in lieu thereof a new subsection (c) to read as follows:

18 "(c) An individual shall not be deemed to be unemployed in any week such individual
19 refuses an intermittent or temporary assignment without good cause when the assignment
20 offered is comparable to previous work or assignments performed by the individual or
21 meets the conditions of employment previously agreed to between the individual and the
22 employer. Such individual may be considered unemployed with respect to any week an
23 assignment or work is not offered by the employer; provided, however, an employee of a
24 temporary help contracting firm, an employee leasing company, or a professional employer
25 organization as defined in Code Section 34-7-6 will be presumed to have voluntarily left
26 employment without good cause if the employee does not contact the temporary help
27 contracting firm, employee leasing company, or professional employer organization for
28 reassignment upon completion of an assignment; provided, further, that such failure to
29 contact the temporary help contracting firm, employee leasing company, or professional
30 employer organization will not be considered a voluntary departure from employment
31 unless the employee has been advised in writing of the obligation to contact ~~the firm~~ such
32 employer upon completion of assignments and has been advised in writing that
33 unemployment benefits may be denied for failure to do so."

SECTION 3.

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

SECTION 4.

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