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H.834

Introduced by Representatives Ram of Burlington, Botzow of Pownal,
Clarkson of Woodstock, Donovan of Burlington, Grad of
Moretown, Lanpher of Vergennes, and Masland of Thetford

Referred to Committee on

Date:

Subject: Labor; unemployment compensation; disqualifications; domestic
violence

Statement of purpose of bill as introduced: This bill proposes to permit an
individual who is a victim of domestic violence and is discharged for
misconduct related to that domestic violence to receive unemployment
compensation.

An act relating to unemployment compensation

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 21 V.S.A. § 1344 is amended to read:

§ 1344. DISQUALIFICATIONS

* * *

(d)(1) Notwithstanding any other provisions of this chapter, no otherwise
eligible individual shall be disqualified for benefits because he or she was
separated from his or her last employing unit due to circumstances resulting

1 from domestic or sexual violence against the individual or any member of the
2 individual's immediate family, unless the individual was the perpetrator of the
3 domestic or sexual violence.

4 (2) As used in this subsection:

5 (A) "Domestic or sexual violence" means domestic violence, sexual
6 assault, or stalking as defined in 15 V.S.A. § 1151.

7 (B) "Immediate family" means a spouse, parent, or child of the
8 individual that resides in the same household as the individual.

9 (3) An individual shall be eligible to receive benefits for separation from
10 employment due to domestic violence if he or she provides the Department
11 with satisfactory documentation of the domestic or sexual violence, including:

12 (A) a sworn statement from the individual attesting to the abuse;

13 (B) law enforcement or court records; or

14 (C) other documentation from:

15 (i) an attorney or legal advisor,

16 (ii) a member of the clergy;

17 (iii) a shelter official;

18 (iv) a counselor or therapist; or

19 (v) a health care provider, as defined in 18 V.S.A. § 9432(9).

20 (4) Information relating to the domestic or sexual violence, including the
21 individual's statement and any corroborating evidence, provided to the

1 Department shall not be disclosed by the Department unless the individual has
2 signed a consent to disclose form. In the event the Department is legally
3 required to release this information without the claimant's consent, the
4 Department shall notify the claimant upon receipt of the notice or request for
5 release of information and prior to releasing the requested information.

6 Sec. 2. EFFECTIVE DATE

7 This act shall take effect on July 1, 2016.