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H.92

Introduced by Representative Mulvaney-Stanak of Burlington

Referred to Committee on

Date:

Subject: Labor; unemployment insurance; eligibility

Statement of purpose of bill as introduced: This bill proposes to establish additional instances in which an employee who voluntarily separates from employment may be eligible for unemployment insurance benefits.

An act relating to expanding eligibility for unemployment insurance

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

(a) An individual shall be disqualified for benefits:

* * *

(2) For any week benefits are claimed, except as provided in subdivision

(3) of this subsection, until the individual has presented evidence to the

satisfaction of the Commissioner that the individual has performed services in

employment for a bona fide employer and has had earnings in excess of six

times the individual's weekly benefit amount if the Commissioner finds that

the individual is unemployed because:

1 (A)(i) The individual left the employ of the individual's last
2 employing unit voluntarily without good cause attributable to the employing
3 unit. An individual shall not suffer more than one disqualification by reason of
4 such separation.

5 (ii) However, an individual shall not be disqualified for benefits if
6 the individual left ~~such~~ employment for one of the following reasons:

7 (I) ~~to~~ To accompany a spouse who:

8 ~~(i)~~(aa) is on active duty with the U.S. Armed Forces and is
9 required to relocate due to permanent change of station orders, activation
10 orders, or unit deployment orders, and when ~~such~~ the relocation would make it
11 impractical or impossible, as determined by the Commissioner, for the
12 individual to continue working for ~~such~~ the employing unit; or

13 ~~(ii)~~(bb) holds a commission in the U.S. Foreign Service and is
14 assigned overseas, and ~~when such~~ the relocation would make it impractical or
15 impossible, as determined by the Commissioner, for the individual to continue
16 working for ~~such~~ the employing unit.

17 (II) Due to urgent, compelling, or necessitous circumstances, as
18 determined by the Commissioner, including the individual's injury or illness,
19 to obtain or recover from medical treatment, to escape domestic or sexual
20 violence, to care for a child following an unexpected loss of child care, or to
21 care for an ill or injured family member.

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~~(3) For not more than six weeks nor less than one week immediately following the filing of a claim for benefits (in addition to any applicable waiting period), as may be determined by the Commissioner according to the circumstances in each case, if the Commissioner finds that the individual has left the employ of the individual's last employing unit without good cause attributable to the employing unit because of a health condition, as certified by a health care provider, as defined in 18 V.S.A. § 9432(9), that precludes the discharge of duties inherent in such employment. [Repealed.]~~

* * *

Sec. 2. 21 V.S.A. § 1301 is amended to read:

§ 1301. DEFINITIONS

~~The following words and phrases, as As used in this chapter, shall have the following meanings unless the context clearly requires otherwise:~~

* * *

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

(26) "Family member" means an individual's parent, grandparent, spouse, domestic partner, civil union partner, child, sibling, parent-in-law, or grandchild. As used in this subdivision (26), child includes an individual's biological child, foster child, adoptive child, or stepchild.

1 Sec. 3. 21 V.S.A. § 1325 is amended to read:

2 § 1325. EMPLOYERS' EXPERIENCE-RATING RECORDS;

3 DISCLOSURE TO SUCCESSOR ENTITY

4 (a)(1) The Commissioner shall maintain an experience-rating record for
5 each employer. Benefits paid shall be charged against the experience-rating
6 record of each subject employer who provided base-period wages to the
7 eligible individual. Each subject employer's experience-rating charge shall
8 bear the same ratio to total benefits paid as the total base-period wages paid by
9 that employer bear to the total base-period wages paid to the individual by all
10 base-period employers. The experience-rating record of an individual subject
11 base-period employer shall not be charged for benefits paid to an individual
12 under any of the following conditions:

13 * * *

14 (F) The individual voluntarily separated from that employer to
15 accompany a spouse who is on active duty with the U.S. Armed Forces or who
16 holds a commission in the U.S. Foreign Service and is assigned overseas as
17 provided by subdivision ~~1344(a)(2)(A)~~ 1344(a)(2)(A)(ii)(I) of this chapter.

18 * * *

19 (I) The individual voluntarily separated from that employer due to
20 urgent, compelling, or necessitous circumstances pursuant to the provisions of
21 subdivision 1344(a)(2)(A)(ii)(II) of this chapter.

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Sec. 4. EFFECTIVE DATE

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This act shall take effect on July 1, 2023.