

By: Flaggs, Bailey

To: Labor; Ways and Means

HOUSE BILL NO. 368

1 AN ACT TO PROVIDE THAT INDIVIDUALS WHO LEAVE EMPLOYMENT TO BE
2 WITH THEIR CHILDREN DURING THEIR FIRST YEAR OF LIFE OR DURING THE
3 FIRST YEAR FOLLOWING PLACEMENT WITH THE INDIVIDUALS FOR ADOPTION
4 SHALL NOT BE DENIED UNEMPLOYMENT COMPENSATION; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. (1) An individual who is on a leave of absence
8 from his or her employer or who left employment to be with the
9 individual's child during the first year of life, or during the
10 first year following placement with the individual for adoption,
11 shall not be denied unemployment compensation under Sections
12 71-5-511 and 71-5-513 for voluntarily leaving employment, for not
13 being available for work, for inability to work or for failure to
14 actively seek work.

15 (2) Section 71-5-513, concerning the reduction of the amount
16 of compensation due to receipt of disqualifying income, shall
17 apply to payments under this section. In addition, the following
18 payments shall cause a reduction in the compensation amount:

19 (a) Any payment from the employer resulting from a
20 birth or adoption described in subsection (1) of this section; and

21 (b) Any payment resulting from a birth or adoption
22 described in subsection (1) of this section; from a disability

23 insurance plan contributed to by an employer, in proportion to the
24 employer's contribution to such plan.

25 (3) Compensation is payable to an individual under this
26 section for a maximum of twelve (12) weeks with respect to any
27 birth or placement for adoption.

28 (4) Each employer shall post at each site operated by the
29 employer, in a conspicuous place, accessible to all employees,
30 information relating to the availability of birth and adoption
31 unemployment compensation.

32 (5) Any compensation paid under this section shall not be
33 charged to the account of the individual employer.

34 (6) Two (2) years following the effective date of this
35 legislation, the Employment Security Commission shall issue a
36 report to the governor and Legislature evaluating the
37 effectiveness of the birth and adoption unemployment compensation
38 program.

39 (7) This section shall be applied consistent with
40 regulations issued by the United States Department of Labor.

41 SECTION 2. This act shall take effect and be in force from
42 and after July 1, 2000.