

Regular Session, 2012

HOUSE BILL NO. 188

BY REPRESENTATIVE BROADWATER

UNEMPLOYMENT COMP: Provides with respect to the disqualification of unemployment compensation benefits

1 AN ACT

2 To enact R.S. 23:1601(1)(b), relative to disqualification for unemployment compensation  
3 benefits; to provide with respect to temporary employees employed by a staffing  
4 firm; to provide definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1601(1)(b) is hereby enacted to read as follows:

7 §1601. Disqualification for benefits

8 An individual shall be disqualified for benefits:

9 (1)

10 \* \* \*

11 (b)(i) If he is working as a temporary employee employed and paid by a  
12 staffing firm and fails, without good cause, to contact the staffing firm for  
13 reassignment. The employee will be deemed to have voluntarily left his employment  
14 and will be disqualified for unemployment compensation benefits pursuant to this  
15 Section if, upon conclusion of his latest assignment, he fails to contact the staffing  
16 firm for reassignment. A temporary employee shall not be deemed to have resigned  
17 his position if he is not advised at the time of hire that he must report for  
18 reassignment upon conclusion of each assignment and that unemployment  
19 compensation benefits may be denied for failure to do so.

1 (ii) For the purpose of this Section, the following terms shall have the  
2 meanings ascribed to them:

3 (aa) "Staffing firm" means a business that hires and pays its own employees  
4 and assigns them to clients to support or supplement the client's workforce in work  
5 situations such as employee absences, temporary skill shortages, seasonal workloads,  
6 and special assignments and projects.

7 (bb) "Temporary employee" means an employee assigned to work for the  
8 clients of a staffing firm.

9 \* \* \*

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Broadwater

HB No. 188

**Abstract:** Provides for the disqualification for unemployment compensation benefits for an employee of a staffing firm who does not contact the firm for reassignment when required.

Present law provides for the disqualification for unemployment compensation benefits under certain circumstances.

Proposed law provides that a temporary employee who is paid by a staffing firm will be deemed to have resigned employment with the staffing firm if the employee does not call for reassignment after an assignment, if calling for reassignment is required.

Proposed law defines "staffing firm" as a business who hires and pays employees and assigns them to clients to fill temporary vacancies or seasonal shortages.

Proposed law defines "temporary employee" as an employee who is paid by a staffing firm and assigned to work for the clients of the staffing firm.

(Adds R.S. 23:1601(1)(b))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill.

1. Clarified that the staffing firm is the employer who pays the employee, so that when an employee who is employed and paid by the staffing firm fails to call the staffing firm for reassignment, he is deemed to have resigned his employment.