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| **Summary HB 83** | |
| **What HB 83 DOES:** | **What HB 83 DOES NOT do:** |
| Creates a class of UI benefit eligibility for workers unable to work due to domestic violence, abuse, dating violence and abuse, sexual assault, or stalking.  The statutory requirements place additional burdens on a worker/claimant to prove than required under 341.350:   1. The domestic violence/abuse/stalking condition exists pursuant to 403.720 or 456.010; AND 2. The DV situation and separation from work are directly related to the worker avoiding the situation in the future pursuant to the conditions described in Section 1(a)(1-3) | * It does not permit merely a statement of domestic violence, abuse, assault, or stalking to suffice for a UI claim. * It does not permit allegations of domestic violence, abuse, assault, or stalking that do not satisfy the pre-existing legal standards in 403.720 or 456.010 to fulfill the statutory requirements for a UI claim under this section |
| Requires a determination about whether the worker experienced DV + meets the statutory requirements | It does not permit a mere statement of domestic violence to suffice for a UI claim without proof and subsequent investigation |
| Charges are made to the pooled account. The pooled account is comprised of 5 different categories of payments (341.550) but none of them are the direct payments by contributory employers intended for their reserve accounts for “normal” UI claims | It does not charge a contributory employer’s reserve account , which is what the employer pays directly into |
| Requires special training for state employees processing UI benefit claims on this basis | It does not subject survivors of these situations to further trauma by exposing them to the “normal” UI claim system |
| Annual reporting requirement to the LRC detailing the number of claims filed | It does not permit claims to go through the system undocumented |
| Prevent benefits paid pursuant to this section from impacting an employer’s UI tax rate | Claims filed and paid pursuant to this bill will not impact the employer’s UI tax rate |
| Obligates the Cabinet to:   * Create admin regs * Create a special process to balance confidentiality and investigations of claims | * Does not allow payment of these claims without requisite investigation * Does not allow the investigation requirements to jeopardize the confidentiality and safety of the survivor |
| Keeps the determination process between the worker and the UI referee, except for the employer’s part in determining the worker’s status as employee | It does not require the employer’s involvement other than to confirm employment as a protection to both the employer and the worker/claimant |