

Amendments to Senate Bill No. 128
1st Reading Copy

Requested by Senator Edward Buttrey

For the Senate Business, Labor, and Economic Affairs Committee

Prepared by Pat Murdo
February 12, 2013 (7:57am)

1. Title, page 1, line 4.

Strike: "REVISING WHEN"**Insert:** "PROVIDING THAT"

2. Title, page 1, line 5.

Following: "PAID"**Insert:** "WHEN AN EMPLOYEE LEAVES FOR GOOD CAUSE"

3. Page 1, line 11.

Following: "accounts"**Insert:** "-- definition"

4. Page 1, line 18.

Following: "~~services~~"**Strike:** " ; "**Insert:** "without good cause. The department shall determine a claimant left work with good cause attributable to employment when:

(i) the claimant had compelling reasons arising from the work environment that caused the claimant to leave and the claimant:

(A) attempted to correct the problem in the work environment; and

(B) informed the employer of the problem and gave the employer reasonable opportunity to correct the problem;

(ii) the claimant left work that the department determines to be unsuitable; or

(iii) the claimant left work within 30 days of returning to state-approved training.

5. Page 2.

Following: line 2**Insert:** "(3) For purposes of this section, the term "compelling reasons" includes but is not limited to:

(a) undue risk of injury, illness, or physical impairment or reasonably foreseeable risk to the claimant's morals;

(b) unreasonable actions by the employer concerning hours,

wages, terms of employment, or working conditions;

(c) a condition underlying a workers' compensation or occupational disease claim for which liability has been accepted by a workers' compensation insurer. If the condition is one for which liability has not been accepted by the workers' compensation insurer, the department shall independently evaluate the condition to determine whether the condition appears to result from the claimant's employment. If the condition appears to the satisfaction of the department to be related to work, the department shall consider the condition to provide a compelling reason for leaving work.

(d) unreasonable rules or discipline by the employer so severe as to constitute harassment."

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