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UNEMPLOYMENT INSURANCE FOR DOMESTIC VIOLENCE SURVIVORS

House Bill 6214

Sponsor: Rep. Chris Kolb

**Committee: Employment Relations,
Training and Safety**

Complete to 8-29-02

A SUMMARY OF HOUSE BILL 6214 AS INTRODUCED 6-18-02

House Bill 6214 would amend the Michigan Employment Security Act to provide for unemployment insurance for domestic violence survivors.

The bill specifies that a person otherwise eligible to receive unemployment benefits would not be ineligible if he or she established that the reason for leaving work was due to domestic violence. Under the bill, domestic violence would include any of the following:

- the person's reasonable fear of future domestic violence at, or enroute to or from, the individual's place of employment;
- the person's need to relocate to another geographic area in order to avoid future domestic violence;
- the person's need to address the physical, psychological, and legal effects of domestic violence;
- the person's need to leave employment as a condition of receiving services or shelter from an agency that provides support services or shelter to victims of domestic violence; or,
- the person's reasonable belief that termination of employment was necessary for the future safety of the individual or the individual's family because of domestic violence.

Under the bill, a person could demonstrate to the Employment Security Commission the existence of domestic violence by providing one or more of the following: a) a restraining order or other documentation of equitable relief issued by a court of competent jurisdiction; b) a police record documenting domestic violence; c) documentation that the perpetrator of the domestic violence had been convicted of a crime involving domestic violence in which the victim was a family or household member; d) medical documentation; e) a statement provided by a counselor, social worker, health worker, member of the clergy, shelter worker, legal advocate, or other professional who had assisted in addressing the effects of the domestic violence on the person or the person's family; or, f) a sworn statement from the person attesting to domestic violence. The bill would prohibit the Employment Security Commission from disclosing any evidence of domestic violence, including an individual's statement and corroborating evidence.

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Definitions. Finally, the bill would define "abuse" to mean any of the following: i) causing or attempting to cause physical harm; ii) placing another person in fear of imminent serious physical harm; iii) causing or threatening to cause another person to engage involuntarily in sexual relations by force, threat, or duress; iv) engaging in mental abuse, which includes threats, intimidation, and acts designed to induce terror; v) depriving another person of medical care, housing, food, or other necessities of life; or vi) restraining the liberty of another person.

Further, under the bill the term "domestic violence" would mean abuse committed against an employee or an employee's dependent child by any of the following: i) a current or former spouse of the employee; ii) a person with whom the employee shared a child in common; iii) a person who is cohabitating with, or who has cohabitated with, the employee; iv) a person who is related by blood or marriage; and, v) a person with whom the employee has or had a dating or engagement relationship.

MCL 421.1 to 421.75

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.