

107TH CONGRESS  
1ST SESSION

# H. R. 592

To amend the Internal Revenue Code of 1986 to provide that an individual who leaves employment because of sexual harassment or loss of child care will, for purposes of determining such individual's eligibility for unemployment compensation, be treated as having left such employment for good cause.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2001

Mrs. MINK of Hawaii introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to provide that an individual who leaves employment because of sexual harassment or loss of child care will, for purposes of determining such individual's eligibility for unemployment compensation, be treated as having left such employment for good cause.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SEXUAL HARASSMENT OR LOSS OF CHILD**  
2 **CARE AS GOOD CAUSE FOR LEAVING EM-**  
3 **PLOYMENT.**

4 (a) IN GENERAL.—Subsection (a) of section 3304 of  
5 the Internal Revenue Code of 1986 (relating to approval  
6 of State unemployment compensation laws) is amended by  
7 striking “and” at the end of paragraph (18), by redesign-  
8 ating paragraph (19) as paragraph (21), and by insert-  
9 ing after paragraph (18) the following new paragraphs:

10 “(19)(A) if any individual leaves employment  
11 because of sexual harassment, for purposes of deter-  
12 mining such individual’s eligibility for compensation  
13 for any subsequent week for which such individual  
14 meets the State law requirements relating to avail-  
15 ability for work and active search for work, such in-  
16 dividual shall be treated as having left such employ-  
17 ment for good cause, and

18 “(B) for purposes of subparagraph (A), ‘sexual  
19 harassment’ shall be considered to have been shown  
20 upon the demonstration of facts sufficient to estab-  
21 lish a prima facie case that the individual involved  
22 was victimized by sexual harassment in violation of  
23 title VII of the Civil Rights Act of 1964;

24 “(20) if any individual leaves employment be-  
25 cause of loss of adequate child care for a dependent  
26 child under the age of 12, for purposes of deter-

1 mining such individual's eligibility for compensation  
2 for any subsequent week for which such individual  
3 meets the State law requirements relating to avail-  
4 ability for work and active search for work—

5 “(A) such individual shall be treated as  
6 having left such employment for good cause,  
7 and

8 “(B) any failure to return to such employ-  
9 ment or to otherwise meet such State law re-  
10 quirements, while the lack of such child care  
11 continues, shall be disregarded; and”.

12 (b) EFFECTIVE DATE.—

13 (1) IN GENERAL.—Except as provided by para-  
14 graph (2), the amendment made by subsection (a)  
15 shall take effect on the November 1st next occurring  
16 after the end of the 30-day period beginning on the  
17 date of the enactment of this Act.

18 (2) EXCEPTION.—In the case of any State the  
19 legislature of which has not been in session for at  
20 least 30 calendar days (whether or not successive)  
21 between the date of the enactment of this Act and  
22 the effective date described in paragraph (1), the  
23 amendment made by subsection (a) shall take effect  
24 30 calendar days after the first day on which such

- 1 legislature is in session on or after the effective date
- 2 described in paragraph (1).

