

105TH CONGRESS  
2D SESSION

# H. R. 4701

To amend the Internal Revenue Code of 1986 to provide that an individual who leaves employment because of sexual harassment 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

OCTOBER 5, 1998

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 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,*

3       **SECTION 1. SEXUAL HARASSMENT AS GOOD CAUSE FOR**  
4       **LEAVING EMPLOYMENT.**

5       (a) IN GENERAL.—Subsection (a) of section 3304 of  
6       the Internal Revenue Code of 1986 (relating to approval

1 of State unemployment compensation laws) is amended by  
 2 striking “and” at the end of paragraph (18), by redesign-  
 3 nating paragraph (19) as paragraph (20), and by insert-  
 4 ing after paragraph (18) the following new paragraph:

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

13           “(B) for purposes of subparagraph (A), ‘sexual  
 14 harassment’ shall be considered to have been shown  
 15 upon the demonstration of facts sufficient to estab-  
 16 lish a prima facie case that the individual involved  
 17 was victimized by sexual harassment in violation of  
 18 title VII of the Civil Rights Act of 1964; and”.

19 (b) EFFECTIVE DATE.—

20           (1) IN GENERAL.—Except as provided by para-  
 21 graph (2), the amendment made by subsection (a)  
 22 shall take effect on November 1, 1999.

23           (2) EXCEPTION.—In the case of any State the  
 24 legislature of which has not been in session for at  
 25 least 30 calendar days (whether or not successive)

1       between the date of the enactment of this Act and  
2       November 1, 1999, the amendment made by sub-  
3       section (a) shall take effect 30 calendar days after  
4       the first day on which such legislature is in session  
5       on or after November 1, 1999.

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