

106TH CONGRESS
1ST SESSION

H. R. 931

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1999

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

A BILL

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

1 ing such individual's eligibility for compensation for
 2 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, while the lack of such
 9 child care continues, to return to such employ-
 10 ment or to otherwise meet such State law re-
 11 quirements 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 November 1, 2000.

16 (2) EXCEPTION.—In the case of any State the
 17 legislature of which has not been in session for at
 18 least 30 calendar days (whether or not successive)
 19 between the date of the enactment of this Act and
 20 November 1, 2000, the amendment made by sub-
 21 section (a) shall take effect 30 calendar days after
 22 the first day on which such legislature is in session
 23 on or after November 1, 2000.

○