

## Report on Public Policy Position

**Name of section:**

Family Law Section

**Contact Person:**

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**Bill Number:**

[HB 5245](#) (Johnson) Employment security; benefits; disqualification from receiving benefits when leaving employment; create exception for domestic violence victim. Amends 1936 (Ex Sess) PA 1 (MCL [421.1](#) - [421.75](#)) by adding sec. 28b.

**Date position was adopted:**

February 2, 2008

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

21

**Number who voted in favor and opposed to the position:**

9 Voted for position

6 Voted against position

6 Did not vote

**Position:**

Support

**Explanation of the position, including any recommended amendments:**

HB 5245 provides that an employee is not disqualified from unemployment benefits if they can establish that the reason for leaving work is due to domestic violence. This helps victims of domestic violence escape their abusers. The opposing concern is the cost to an employer who has no role in the domestic violence. A study by the National Employment Law Project showed that in the 26 states (plus the District of Columbia) which have enacted this legislation, the costs have been minimal. States with domestic violence unemployment insurance laws include AZ, CA, CO, CT, DC, DE, KS, IL, IN, ME, MA, MN, MT, NE, NH, NJ, NM, NY, NC, OK, OR, RI, SD, TX, WA, WI, WY. Out of all unemployment claims, DV claims were less than 1/10% and often much less than that. The bill provides that the claims are made to the "nonchargeable benefits account" so that an individual employer is not held responsible for these claims, and the costs are spread throughout the entire employer pool. The Family Law Section supports this bill.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2007-HB-5245>