

SB0275/143029/1

BY: Senator Hettleman

AMENDMENT TO SENATE BILL 275, AS AMENDED  
(First Reading File Bill)

On page 5 of the Finance Committee Amendments (SB0275/283522/1), in line 15 of Amendment No. 4, after “TITLE;” insert “AND”; and strike beginning with “PROCEDURES” in line 16 down through “(IV)” in line 19.

On page 6 of the Finance Committee Amendments, in line 21 of Amendment No. 4, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A”.

On page 16 of the bill, in line 9, after “(A)” insert “(1)”; and after line 17, insert:

“(2) A COVERED INDIVIDUAL MAY RECEIVE AN ADDITIONAL 12 WEEKS OF BENEFITS IF THE COVERED INDIVIDUAL DURING THE SAME APPLICATION YEAR:

(I) 1. RECEIVED BENEFITS BECAUSE THE COVERED INDIVIDUAL WAS ELIGIBLE FOR BENEFITS UNDER § 8.3-701(A)(1)(I) OF THIS SUBTITLE; AND

2. BECOMES ELIGIBLE FOR BENEFITS UNDER § 8.3-701(A)(1)(III) OF THIS SUBTITLE; OR

(II) 1. RECEIVED BENEFITS BECAUSE THE COVERED INDIVIDUAL WAS ELIGIBLE FOR BENEFITS UNDER § 8.3-701(A)(1)(III) OF THIS SUBTITLE; AND

**2. BECOMES ELIGIBLE FOR BENEFITS UNDER § 8.3-701(A)(1)(I) OF THIS SUBTITLE.**

On page 21 of the bill, in line 3, strike “**IF**” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (C)(2) OF THIS SECTION, IF**”; and after line 7, insert:

**(C) AN EMPLOYER MAY:**

**(1) DURING A PERIOD OF LEAVE FROM WORK FOR WHICH BENEFITS MAY BE PAID UNDER THIS TITLE, TERMINATE EMPLOYMENT OF THE COVERED INDIVIDUAL TAKING THE LEAVE ONLY FOR CAUSE; AND**

**(2) DENY RESTORATION OF A COVERED INDIVIDUAL’S POSITION OF EMPLOYMENT UNDER SUBSECTION (B) OF THIS SECTION IF:**

**(I) THE DENIAL IS NECESSARY TO PREVENT SUBSTANTIAL AND GRIEVOUS ECONOMIC INJURY TO THE OPERATIONS OF THE EMPLOYER;**

**(II) THE EMPLOYER NOTIFIES THE COVERED INDIVIDUAL OF THE INTENT OF THE EMPLOYER TO DENY RESTORATION OF THE COVERED INDIVIDUAL’S POSITION OF EMPLOYMENT AT THE TIME THE EMPLOYER DETERMINES THE ECONOMIC INJURY WOULD OCCUR; AND**

**(III) IF THE LEAVE HAS ALREADY BEGUN IN A CASE OF LEAVE FROM WORK FOR WHICH BENEFITS MAY PAID UNDER THIS TITLE, THE COVERED INDIVIDUAL ELECTS NOT TO RETURN TO EMPLOYMENT AFTER RECEIVING NOTICE OF THE EMPLOYER’S INTENTION TO DENY RESTORATION OF THE COVERED INDIVIDUAL’S POSITION OF EMPLOYMENT.**