

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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*Codification  
District of  
Columbia  
Official Code*

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To amend the District of Columbia Unemployment Compensation Act to provide for unemployment compensation for eligible individuals who voluntarily or involuntarily leave work due to domestic violence, to require documentary proof to establish that a claimant's separation from employment was due to domestic violence, to provide that benefits payable to a claimant are not chargeable to an employer, to require a training program for employees who handle unemployment compensation claims to develop an awareness of domestic violence as it relates to unemployment compensation claims and to learn the procedure for validating a domestic violence claim, to require the Director to report annually to the Mayor the number of individuals who received unemployment benefits based on a domestic violence claim, and to provide additional safeguards on the disclosure of information pertaining to a domestic violence claimant.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Unemployment Compensation and Domestic Violence Amendment Act of 2004".

Sec. 2. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Designate the existing text as Title I.

(b) Add a new Title II to read as follows:

"Title II. Domestic Violence.

"Sec. 31. Separation from employment due to domestic violence.

"Notwithstanding any other provision of this act, no otherwise eligible individual shall be denied benefits for any week because the individual was separated from employment by discharge or voluntary or involuntary resignation due to domestic violence. For the purposes of this title, the term "domestic violence" means an intrafamily offense as defined in D.C. Official Code § 16-1001(5).

"Sec. 32. Supporting evidence required to support payment of benefits due to domestic violence.

"A claimant may be eligible to receive benefits for separation from employment due to domestic violence provided that one of the following is submitted to support the claim of

domestic violence:

- "(1) A police report or record;
- "(2) A governmental agency or court record, such as a court order, a Petition for a Civil Protection Order, or a record or report from Child Services; or
- "(3) A written statement, which affirms that the claimant has sought assistance for domestic violence from the signatory, from a:
  - "(i) Shelter official;
  - "(ii) Social worker;
  - "(iii) Counselor;
  - "(iv) Therapist;
  - "(v) Attorney;
  - "(vi) Medical doctor; or
  - "(vii) Cleric.

"Sec. 33. Employer liability.

"Benefits paid pursuant to this title shall not be charged to the experience rating accounts of employers, except that this section shall not apply to employers who have elected to make payments in lieu of contributions under section 3(f) and (h).

"Sec. 34. Employee awareness training.

"(a) Within 180 days of the effectiveness of the Unemployment Compensation and Domestic Violence Amendment Act of 2004, passed on 2<sup>nd</sup> reading on April 6, 2004 (Enrolled version of Bill 15-436), and pursuant to section 13, the Director shall institute a program for the training and development of employees who have been designated by the Director to make the initial determination whether benefits may be payable to a claimant. The training shall focus on the nature of domestic violence, with the goal of increasing employee awareness of its ramifications on unemployment, and on the procedure for handling claims based on domestic violence. The training shall seek to ensure that employees who interact with claimants have the knowledge necessary to handle domestic violence claims and the skills to provide equitable treatment to all claimants.

"(b) The training shall be offered annually. Persons newly hired or assigned to make the initial determination whether benefits may be payable shall attend the next available training subsequent to their hire or assignment.

"Sec. 35. Reporting requirement.

"The Director shall each year submit to the Mayor, for inclusion in the Mayor's report to the Council, as required by section 13(c), the number of individuals who received benefits for separation from employment due to domestic violence.

"Sec. 36. Disclosure of information pertaining to domestic violence claimant.

"The release of information pertaining to a domestic violence claimant, in addition to the requirements of section 13, shall require that:

- "(1) The Director notify the claimant prior to the release of any information;
- "(2) The Director shall take reasonable actions to prevent the unnecessary

disclosure of personal identifiers, such as the claimant's address, from information otherwise required to be disclosed by law; and

"(3) Further dissemination of the information released shall be prohibited."

**Sec. 3. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

**Sec. 4. Effective date.**

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia