

## **Good Cause Quits**

This brief is part of the Unemployment Insurance Policy Hub created by the National Employment Law Project as a reference guide for state advocates to support efforts that will strengthen the economic security of workers and their families. For other Policy Hub resources, see <a href="https://www.uipolicyhub.org">www.uipolicyhub.org</a>.

## **Unemployment Insurance (UI) Good Cause Quits Definitions**

**Experience Rating:** A system of taxing employers at different rates based on their "experience" with unemployment. In most states, experience is measured by the share of former workers who receive UI benefits over a given period. For further discussion of experience rating, see the brief on UI financing at <a href="https://www.uipolicyhub.org">www.uipolicyhub.org</a>.

**Good Cause Quit:** Leaving one's job voluntarily for a reason that is reasonable and compelling, as defined by state law. Workers who quit without good cause are disqualified from receiving UI benefits. This brief provides further information about what states do and should consider good cause.

**Non-Charging:** An exception within the experience rating system that enables workers to receive UI benefits without affecting a former employer's experience rating or UI taxes.

**Separation:** Any termination of employment, including when a worker quits, is laid off, or fired for misconduct. A separating employer is the employer the worker was employed by at the time of separation.

**Suitable Work:** Employment that is comparable to the jobseeker's prior work in terms of wages, hours, or other conditions and is consistent with the prevailing standards for similar work in the locality. Most states have additional criteria for evaluating the suitability of work. For a further discussion, see the brief on suitable work at <a href="https://www.uipolicvhub.org">www.uipolicvhub.org</a>.

**UI Eligibility:** When a worker meets their state's UI eligibility criteria by working and earning enough money within a certain time period as well as searching for and being able and available for work. To receive UI benefits, a worker must be both qualified and eligible (see the definition of "UI qualification" below). For further discussions of eligibility, see the briefs on monetary eligibility and work search at <a href="https://www.uipolicyhub.org">www.uipolicyhub.org</a>.

**UI Qualification:** When a worker meets their state's UI qualification criteria by, for example, having left a previous job as the result of a layoff or downsizing or because they quit for what the state considers "good cause." A worker may be disqualified from receiving benefits if

they were fired for misconduct or quit their job without good cause, as the state defines it. To receive UI benefits, a worker must be both qualified and eligible (see the definition of "UI eligibility" above).

#### Overview

Sometimes workers have no choice but to quit a job. For example, a worker may need to relocate to protect themselves from domestic violence, stop working to care for an ailing loved one, or leave a job because of an unsafe workplace, a hostile work environment, or a dramatic change in schedule.

Yet many states do not recognize these and other "good causes" for quitting a job. States often deny unemployment benefits (UI) to workers even if they are forced to leave their job for compelling reasons. Expansion of good cause quit provisions is needed to protect and empower workers, especially women, LGBTQ workers, workers with disabilities, and workers of color who must confront structural racism, sexism, ableism, and homophobia that push people out of jobs in multiple ways. Every state disqualifies workers from UI if they quit their job but provides an exception if they quit with good cause. Most states limit that exception to circumstances related to a worker's employment and limit it further with a narrow interpretation of good cause, leaving many workers vulnerable and unprotected when other circumstances compel them to quit their job.

### Compelling reasons to quit a job

A worker may need to quit their job to escape domestic violence, sexual assault, stalking, or sexual harassment. These compelling circumstances disproportionately impact women, women of color, and transgender workers. One in four women experience some sort of violence or stalking by an intimate partner during their lifetime. Black and Latina women are more likely than white women to experience sexual harassment in the workplace. Transgender workers also report very high rates of harassment and discrimination on the job. Therefore, UI laws that ignore these compelling reasons as good cause for quitting have a disparate impact on women, transgender workers, and workers of color.

Another personal circumstance that is overlooked by good cause quit exceptions in many states is needing to leave work to care for a child or family member. There are more than 65 million Americans acting in caregiver roles across the lifespan and nearly 10 percent reporting that caregiving responsibilities have led them to leave their jobs. The pandemic recently highlighted that women were more likely than men to leave a job to assume caregiving responsibilities. Good cause quit exceptions that do not account for the need to care for a family member effectively exclude many women from this important economic protection.

Workers may also be compelled to quit because of a significant deterioration in job quality. Workers forced into volatile work schedules and experiencing unpredictable reductions in hours and pay may have no choice but to leave those jobs. They could be left unable to pay bills due to a pay cut or unable to work a second job or attend class because of a sudden change in work hours. Recent reports indicate that 17 percent of workers are subject to unstable shift schedules and most of those workers are in underpaid jobs. Women, Black, Latinx, and Native American workers are overrepresented in low-paid jobs and disproportionately impacted by erratic work schedules and unpredictable reductions in

hours and pay. Most states fail to protect workers forced to leave these untenable employment situations.

### State laws on good cause quits

There is little protection in state UI laws for workers forced to leave their employment. All states deny UI protections to workers that quit their job unless they have good cause for quitting. If a worker quits, no matter the reason, state law places the burden on the worker to prove they have good cause. States decide what good cause quit exceptions to put in place, and most limit them to work-related circumstances, often requiring that the worker prove the cause is "attributable to the employer." Only about half of states recognize any kind of compelling personal reason as good cause to quit, typically limited to isolated circumstances such as to escape domestic violence or to follow a spouse who must move because of work.<sup>8</sup>

Courts in some states have used the notion of an "involuntary leaving" to capture the "personal reasons" circumstances that are not enumerated in their statute. As the facts present themselves in individual cases, the courts recognize medical or family reasons that are not attributable to an employer but nonetheless might compel a reasonable person to leave their employment, thus deeming the quit involuntary and enabling workers to qualify for UI. This court-based approach forces workers to make their case through an elaborate and often long appeals process. Rather than this inefficient, unpredictable approach, states should have adequate good cause quit law. The law should be clear so workers do not suffer from needless delays in benefits.

To address these good cause quit issues, states should remove the restrictions that limit good cause quits to work-related reasons. Next, states should clearly enumerate the compelling reasons to quit, both personal and work-related, leaving room for the agency and the courts to create exceptions for compelling circumstances not enumerated in statute.

### **Federal Requirements and Guidance**

For purposes of UI eligibility, separations from employment, including quits, are governed by state law. All states disqualify a worker who quits unless they have good cause for quitting. For the most part, states are allowed to define "good cause." See Chapter 5 of the US Department of Labor's (USDOL) most recent <u>Comparison of State UI Laws</u> for an overview and explanation of how separations are a function of state law.<sup>9</sup>

#### Federal "labor standard"

There is one federal guardrail on quits known as the "prevailing conditions of work standard" or the "labor standard." States are not allowed to deny UI to a worker "for refusing to accept new work . . . if the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality." <sup>10</sup> USDOL has interpreted "new work" to include workers who quit their employment because of a substantial switch in duties or terms and conditions of employment than originally agreed upon. See <a href="UIPL 984">UIPL 984</a>, which includes helpful language on the required broad interpretation of the labor standard to prevent UI laws from being used to "depress wage rates."

#### Federal unemployment "modernization" and good cause quits

From 2009–2011, Congress and USDOL encouraged states to adopt several good cause exceptions for "compelling family reasons" that included: domestic violence, illness and disability of immediate family member, and moving to accompany a spouse changing job locations. <sup>11</sup> A number of states adopted these specific good cause exceptions in order to receive the accompanying federal incentive payment and tax break. <sup>12</sup>

## **Policy Recommendations**

Congress should establish uniform federal standards for good cause quits to protect and empower workers by eliminating a component of institutionalized racism in the UI system that has persisted with state-controlled UI systems. In the absence of federal reform, states should broaden good cause quit exceptions to:

### 1. Eliminate the work-related requirement.

Over half of states limit good cause quits to work-related good cause. Simply eliminating the work-related language from the good cause quit statute would make good cause for compelling personal reasons available to workers. Hawaii, <sup>13</sup> Pennsylvania, <sup>14</sup> and Utah are examples of states who already have a more expansive definition of good cause. <sup>15</sup>

### 2. Include compelling personal reasons.

States should include (but not limit to) the following "personal" reasons in their definitions of a good cause quit:

- Leaving a job to escape domestic violence, sexual assault, or stalking of the worker or a household member. Forty-two states have some statute, regulation, or policy interpretation for good cause quit related to domestic violence. Six states (Colorado, Florida, Kansas, Minnesota, New York, and South Carolina) and the District of Columbia have broader coverage to include an immediate family member. The *Comparison of State UI Laws* lists states with good cause quit domestic violence laws in Table 5-3. See District of Columbia for one of the broadest domestic violence good cause quit laws. <sup>16</sup>
- Leaving a job to care for oneself or a family member during illness or injury. Benefit eligibility would begin once the worker is able and available for work. All but three states (Louisiana, South Carolina, and Vermont) have a statute, regulation, or policy interpretation allowing good cause quit for personal illness, although 17 states limit the exceptions in some way. Twenty-four states <sup>17</sup> allow good cause quits because of illness or disability of a family member. Another 10 states limit this exception in some way. Arkansas broadens good cause quit to include pregnancy, and New York allows benefits if the worker quits because they are unable to accept a particular shift as a result of undue family hardship. The *Comparison of State UI Laws* lists states that allow good cause quit for personal illness in Table 5-2 and illness or disability of a family member in Table 5-4.
- Leaving a job to care for children when alternative childcare arrangements are unavailable. Benefit eligibility would begin once the worker is able and available for work.
- Leaving a job to relocate with a spouse, partner, or co-parent who relocates for their job.
- Leaving a job because of an offer of employment at another job. This is meant to protect workers when a legitimate offer of work falls through. All but nine states 18

protect workers in this circumstance. The <u>Comparison of State UI Laws</u> lists states that protect workers who quit to accept other work in Table 5-2.

- Leaving part-time work when concurrently working another job. See Michigan for an example of a good law.<sup>19</sup>
- Leaving a job because of a loss of transportation prevents the worker from getting to this job and meaningful public transportation is not available. To meet other availability requirements the worker must be still able to get to other work.
- Leaving a job because a worker's physical or mental health conditions prevent the worker from doing this job. A worker would qualify as long as they are able to perform other work.

#### 3. Include compelling circumstances caused by the employer.

States should delineate (but not limit) work-related reasons for good cause quit, including:

- Leaving a job because of a significant deterioration in job quality<sup>20</sup> such as:
  - Volatile or insufficient work hours;
  - Erratic scheduling practices;
  - Change of work location; or
  - Cuts in pay.

We recommend that practices that result in a temporary reduction in pay of more than 30 percent or a permanent reduction in pay of more than 15 percent qualify as good cause to leave that job, even if these practices are considered customary.

- Leaving a job where legal rights were violated. This should include workers who can show that their employers violated anti-discrimination, health and safety, wage and hour, or collective bargaining laws. This would also help with enforcement of these worker protection laws.
- Leaving a job to escape sexual or other harassment at work. All but two states (Florida and Wyoming) have some statute, regulation, or policy interpretation allowing good cause quit for sexual or other harassment at work. Four states (Georgia, Oklahoma, Pennsylvania, and Virginia) limit this type of good cause quit to workers who notify their employer of the harassment and give them a chance to remedy prior to quitting. The <a href="Montparison of State UI Laws">Comparison of State UI Laws</a> lists states with good cause quit harassment laws in Table 5-2.
- **Leaving after a trial work period.** Workers should be able to leave an unsuitable job in the first six months of employment and claim UI benefits. Allowing an unemployed worker who is claiming benefits a trial work period allows them to take a job they may be unsure of, thereby reducing the amount of UI benefits they need.<sup>21</sup>

#### 4. Non-charge the separating employer.

Consider non-charging the separating employer when a worker quits for compelling personal reasons or during a trial work period. Charging an employer that had little to no control over the reason the worker is unemployed is inconsistent with the system of UI financing used in the United States. Non-charging also removes an incentive for the employer, who likely has no probative knowledge of the reasons for separation, to contest the worker's claim for UI benefits. The *Comparison of State UI Laws* lists states that non-charge employers for good cause quits in Table 2-9.

## 5. Eliminate requirements that workers explore alternatives to quitting.

A number of states limit good cause quit for instances of sexual harassment or personal illness by requiring workers to seek alternatives before they quit.<sup>22</sup> States should remove any requirements that the worker explore alternatives to quitting when unreasonable or futile. The burden should be on the employer to come forward with evidence that the worker was offered a reasonable alternative to quitting.

## 6. Consider only the most recent separation when evaluating whether workers qualify for UI.

Some agencies evaluate every separation in the worker's most recent 18 months of work in determining separation disqualifications, regardless of whether the worker claimed UI after that separation. This means that a worker could (1) quit a job without claiming UI; (2) go to work for a new employer; and (3) get laid off by the second employer and still be disqualified from UI after an involuntary layoff. States should only consider the most recent separation from employment—the one that caused the worker to claim benefits—when evaluating their qualification for UI.

### 7. Include workers that must quit when family leave ends.

Although all states should, currently only 11 states and the District of Columbia have enacted paid family and medical leave programs. <sup>23</sup> These programs provide workers with partial pay while they need to take time off work to deal with their own serious health condition, care for an ill family member, or bond with a new child. Workers receiving paid family leave benefits may also have job protection and be able to return to their same employer after their leave. However, many workers do not have job protection when they need to take leave or need more time off than the law or their employer allows. If a worker needs to leave their job due to personal medical or caregiving needs, this should be considered a good cause quit allowing them to receive UI when they are seeking to return to work after they have recovered, or their caregiving responsibilities have ended. This includes workers whose ongoing caregiving responsibilities require them to find a different job to better accommodate their caregiving responsibilities, including one with better hours, flexible work schedule, or a more convenient location.

## 8. Limit the period of disqualification for workers quitting without good cause.

States impose a period of disqualification for UI benefits on workers who quit without good cause. The disqualification period should end after the worker earns three times their weekly benefit amount. Kansas is an example of a state with policies that provides a reasonable end to a worker's disqualification period.<sup>24</sup>

## **Research Findings and Arguments to Support Reform**

## Expanding good cause quit to include compelling personal reasons will empower workers, especially women workers and workers of color.

There are more than 65 million Americans acting in caregiver roles during their lifetime and nearly 10 percent report that caregiving responsibilities have led them to leave their jobs. Women are more likely to be caregivers and to need to leave the workforce for caregiving responsibilities. Black caregivers are more likely to be sole unpaid caregivers than other demographic groups and are more likely to report negative financial impacts as a result of providing care. Treating caregiving as a good cause to quit facilitates caregivers' reentry to

the workforce, promoting gender and racial equity, particularly in states that do not guarantee paid family leave for caregiving. Providing good cause quit options could help enable women to stay attached to the workforce and enable men to take on caregiving roles and improve gender equity.<sup>28</sup>

## Expanding good cause quit to include more employer-related reasons can help promote economic and racial justice.

Unsafe working conditions disproportionately affect workers of color because, as a result of structural racism, Black and Latinx workers work in the most dangerous jobs, facing a higher risk of work-related fatality, injury, and illness than white workers. <sup>29</sup> Wage theft is another significant problem affecting 2.4 million workers nationally, and, because they disproportionately work in low-paying jobs as a result of occupational segregation, women, people of color, and immigrant workers are more likely than other workers to be paid less than minimum wage. <sup>30</sup> Finally, changes in the nature of work over the last few decades have resulted in an increasing number of workers subject to deteriorating job conditions, <sup>31</sup> and erratic changes in work schedules and unpredictable reductions in hours and pay disproportionately affect Black, Latinx, and Native American workers and women, who are overrepresented in low-paying jobs because of occupational segregation. <sup>32</sup>

Providing UI benefits to workers forced to quit because of harmful or illegal actions by their employers provides an additional enforcement mechanism for worker protection laws and discourages bad actors. If offending employers pay higher UI taxes because workers are quitting due to their illegal or intolerable employment practices (and those workers are successfully claiming UI), that can serve as another deterrent for employers not to discriminate, have an unsafe workplace, steal wages, or commit other illegal acts.

## Expanding good cause quits increases the percentage of unemployed workers who can access UI.

Prior to the pandemic, the percentage of unemployed workers receiving UI benefits (known as the recipiency rate) was in steady decline, with the national average at about 22 percent.<sup>33</sup> Rates were worse in most states where a larger percentage of workers of color live and work.<sup>34</sup> Although many factors contribute to declining recipiency rates, an Urban Institute study revealed that expanding good cause quits improves UI recipiency.<sup>35</sup> The study looked at states that adopted the personal reasons good cause quit provisions incentivized in the 2009 federal UI Modernization bill. The study concluded that further good cause expansion could cover 3 percent more workers nationwide. It also found that expansion would improve UI recipiency among women and low-wage workers (with incomes below 150 percent of the poverty level) because women would make up 77 percent of that expansion and low-wage workers would account for 47 percent.

## Expanding good cause quits will help align UI with evolving cultural norms around quitting.

The Great Resignation demonstrates there has been a shift in culture around quitting one's job. More people find it acceptable to quit in order to improve their work environment or to escape intolerable working conditions. <sup>36</sup> UI law has not caught up with new societal norms about what constitutes good cause to quit, such as reasons related to mental health and childcare among other critical factors. Expanding good cause quits would bring UI law more in line with contemporary cultural norms. <sup>37</sup>

## **Data and State Comparison Resources**

#### Compare how your state handles good cause guits to other states.

Consult USDOL's annual <u>Comparison of State Unemployment Insurance Laws, Chap 5.</u>
<u>Nonmonetary Eligibility</u> for a detailed comparisons of states' approaches to good cause quits, including:

- Table 5-1: States with Work-Connected Good Cause Provisions
- Table 5-2: States with Good Personal Cause General Provisions
- Table 5-3: States with Good Personal Cause Related to Domestic Violence
- Table 5-4: States with Good Personal Cause to Perform Marital, Domestic, Or Filial Obligations
- Table 5-6: Disqualification Terms—Voluntarily Leaving Work Without Good Cause

## Find data on the number and proportion of workers denied UI benefits in your state because the state determined they voluntarily quit their prior job.

The Century Foundation's <u>Unemployment Insurance Data Explorer</u> provides updated unemployment data from USDOL in graphs. Advocates can select their state from a pull-down menu, choose a timeframe, and look at "separation denial breakdown" rates by quarter. Workers who are denied UI benefits because they quit for a reason the state does not recognize as valid for receiving UI are listed as "voluntary quit." To download a spreadsheet with numbers of workers denied UI in your state, click the "download data" button underneath the chart and view the column for "Separation-Voluntary Quit Denials." This website also offers resources for comparing states.

This data is also available directly from USDOL via its <u>ETA 207 - Nonmonetary</u> <u>Determinations Activities Report</u>, but the Century Foundation website is more user-friendly.

# Find the percentage of unemployed workers that receive UI in your state and compare to other states.

Overly restrictive work search requirements are one reason why so many unemployed workers are denied UI benefits. Check the Century Foundation's <u>Unemployment Insurance Dashboard</u> and click on "How many are getting UI" and "Recipiency Rate" to see the percentage of all unemployed workers receiving UI benefits by state.

### Determine whether an employer has a record of violating workplace laws.

One reason a worker may have good cause to quit a job is if their employer violated state or federal workplace laws. For example, employers may flout Occupational Health and Safety Administration rules intended to prevent workplace hazards. Highlighting the violations of major employers or industries in the state may help build support for expanding good cause quits. The Violations Tracker from Good Jobs First provides a searchable database of corporate violators, searchable by state, company, industry, and type of violation. Note that not all violations will be grounds for a good cause quit.

#### **References and Essential Articles**

Liz Ben-Ishai, Rick McHugh, and Claire McKenna, *Out of Sync: How Unemployment Insurance Rules Fail Workers with Volatile Job Schedules*, National Employment Law Project and Center for Law and Social Policy, August 2015, <a href="https://www.nelp.org/wp-content/uploads/Out-of-Sync-Report.pdf">https://www.nelp.org/wp-content/uploads/Out-of-Sync-Report.pdf</a>.

Josh Bivens et al., *Reforming Unemployment Insurance: Section 3 Eligibility*, Center for American Progress, Center for Popular Democracy, Economic Policy Institute, Groundwork Collaborative, National Employment Law Project, National Women's Law Center, and Washington Center for Equitable Growth, July 2021,

https://files.epi.org/uploads/Reforming-Unemployment-Insurance.pdf.

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https://www.nelp.org/publication/access-unemployment-insurance-benefits-family-caregivers-analysis-state-rules-practices/.

Sejal Singh, How Unemployment Insurance Is Failing Working Caregivers — And How to Fix It, National Women's Law Center, 2021, <a href="https://nwlc.org/wp-content/uploads/2021/08/UIPolicyBrief.pdf">https://nwlc.org/wp-content/uploads/2021/08/UIPolicyBrief.pdf</a>.

Rachel West et al., Strengthening Unemployment Protections in America: Modernizing Unemployment Insurance and Establishing a Job Seekers Allowance, The Center for American Progress, June 2016, <a href="https://americanprogress.org/wp-content/uploads/2016/05/UI\_JSAreport.pdf">https://americanprogress.org/wp-content/uploads/2016/05/UI\_JSAreport.pdf</a>.

### **Endnotes**

https://www.nelp.org/wp-content/uploads/2015/03/ARRA UI Modernization Report.pdf.

<sup>&</sup>lt;sup>1</sup> See "Domestic Violence Fact Sheet," National Coalition Against Domestic Violence, https://assets.speakcdn.com/assets/2497/domestic\_violence-2020080709350855.pdf?1596828650457.

<sup>&</sup>lt;sup>2</sup> "Out of the Shadows: An Analysis of Sexual Harassment Charges Filed by Working Women," National Women's Law Center, August 2018, <a href="https://nwlc.org/resource/out-of-the-shadows-an-analysis-of-sexual-harassment-charges-filed-by-working-women">https://nwlc.org/resource/out-of-the-shadows-an-analysis-of-sexual-harassment-charges-filed-by-working-women</a>.

<sup>&</sup>lt;sup>3</sup> Jaime M. Grant, Lisa A. Mottet, and Justin Tanis, "Injustice at Every Turn: A Report of the National Transgender Discrimination Survey," National Center for Transgender Equality and National Gay and Lesbian Taskforce, 2011, https://transequality.org/sites/default/files/docs/resources/NTDS Exec Summary.pdf.

<sup>&</sup>lt;sup>4</sup> Rick McHugh, Liz Ben-Ishai, and Kathleen Ujvari, "Access to Unemployment Insurance Benefits for Family Caregivers: An Analysis Of State Rules and Practices," National Employment Law Project, April 9, 2015, <a href="https://www.nelp.org/publication/access-unemployment-insurance-benefits-family-caregivers-analysis-state-rules-practices">https://www.nelp.org/publication/access-unemployment-insurance-benefits-family-caregivers-analysis-state-rules-practices</a>.

<sup>&</sup>lt;sup>5</sup> Samantha Fields, "Child care disruptions have been driving more women than men to quit their jobs," Marketplace Morning Report, February 17, 2022, <a href="https://www.marketplace.org/2022/02/17/child-care-disruptions-have-been-driving-more-women-than-men-to-quit-their-jobs/">https://www.marketplace.org/2022/02/17/child-care-disruptions-have-been-driving-more-women-than-men-to-quit-their-jobs/</a>.

<sup>&</sup>lt;sup>6</sup> Lonnie Goldin, "Irregular Work Scheduling and Its Consequences," Economic Policy Institute, April 9, 2015, https://www.epi.org/publication/irregular-work-scheduling-and-its-consequences/.

<sup>&</sup>lt;sup>7</sup> See Jasmine Tucker and Julie Vogtman, "When Hard Work is Not Enough: Women in Low-Paid Jobs," National Women's Law Center, April 2020, <a href="https://nwlc.org/wp-content/uploads/2020/04/Women-in-Low-Paid-Jobs-report pp04-FINAL-4.2.pdf">https://nwlc.org/wp-content/uploads/2020/04/Women-in-Low-Paid-Jobs-report pp04-FINAL-4.2.pdf</a> and Liz Ben-Ishai, Rick McHugh, and Claire McKenna, "Out of Sync: How Unemployment Insurance Rules Fail Workers with Volatile Job Schedules," National Employment Law Project, August 2015, <a href="https://www.nelp.org/wp-content/uploads/Out-of-Sync-Report.pdf">https://www.nelp.org/wp-content/uploads/Out-of-Sync-Report.pdf</a>.

<sup>&</sup>lt;sup>8</sup> See Tables 5-1 through 5-4 in USDOL's most recent (2021) "Comparison of State Unemployment Insurance Laws," <a href="https://oui.doleta.gov/unemploy/pdf/uilawcompar/2021/complete.pdf">https://oui.doleta.gov/unemploy/pdf/uilawcompar/2021/complete.pdf</a>.

 $<sup>^9\,</sup>See~(2021~Comparison~of~State~Unemployment~Laws,~Chapter~5-Nonmonetary~Eligibility,\\"~US~Department~of~Labor,~5-2-5-10,~https://oui.doleta.gov/unemploy/pdf/uilawcompar/2021/nonmonetary.pdf.$ 

<sup>&</sup>lt;sup>10</sup> See 26 U.S.C. 3304(A)(5)(B), https://www.law.cornell.edu/uscode/text/26/3304.

<sup>&</sup>lt;sup>11</sup> See UIPL 14-09, ATT. III, 3, https://www.dol.gov/sites/dolgov/files/ETA/advisories/UIPL/2009/UIPL14-09.pdf.

 $<sup>^{12}</sup>$  See "Modernizing Unemployment Insurance: Federal Incentives Pave the Way for State Reforms," National Employment Law Project, May 2012,

<sup>&</sup>lt;sup>13</sup> See Haw. Rev. Stat. Ann. § 383-30(1), https://www.capitol.hawaii.gov/hrscurrent/Vol07 Ch0346-0398/HRS0383/HRS 0383-0030.htm.

- <sup>14</sup> See 43 Pa. Stat. and Cons. Stat. Ann. § 802(B), <a href="https://codes.findlaw.com/pa/title-43-ps-labor/pa-st-sect-43-802.html">https://codes.findlaw.com/pa/title-43-ps-labor/pa-st-sect-43-802.html</a>.
- 15 See Utah Code Ann. § 35A-4-405(1)(A), https://le.utah.gov/xcode/Title35A/Chapter4/35A-4-S405.html.
- <sup>16</sup> See D.C. Code Ann. § 51-132–51-136, <a href="https://code.dccouncil.us/us/dc/council/code/titles/51/chapters/1">https://code.dccouncil.us/us/dc/council/code/titles/51/chapters/1</a>. The DC good cause quit for domestic violence law is one of the broadest, covering any separation from employment (quit or discharge) due to domestic violence of the worker or a family or household member. An expansive list of evidence is allowed to prove the domestic violence. The statute also requires domestic violence awareness training of agency staff and a reporting requirement. Further, the experience rating accounts of employers are not charged for benefits paid under this provision.
- <sup>17</sup> AK, AZ, AR, CA, CO, CT, DE, DC, HI, IL, ME, MA, MN, NV, NH, NY, OK, OR, PA, RI, SC, VA, WA, and WI.
- 18 AR, DE, DC, MD, OK, SC, TN, WV, and WY.
- <sup>19</sup> See Mich. Comp. Laws Ann § 421.29(1)(A)(III), http://legislature.mi.gov/doc.aspx?mcl-421-29.
- <sup>20</sup> See Ben-Ishai, McHugh, and McKenna, "Out of Sync," 16.
- <sup>21</sup> See Michigan (Mich. Comp. Laws Ann § 4121.29(1)(A)(I)), or New Hampshire (N.H. Rev. Stat. Ann. § 282-A:32I(A)(1)) for examples of trial work period laws.
- <sup>22</sup> See Tables 5-2 and 5-4 of the "Comparison of State UI Laws, Chap. 5 Nonmonetary Eligibility," US Department of Labor, 2021, https://oui.doleta.gov/unemploy/pdf/uilawcompar/2021/nonmonetary.pdf.
- <sup>23</sup> For a list of states that guarantee paid family leave (currently only eight states and four more where the law was enacted but is not yet in effect) see "State Paid Family and Medical Leave Insurance Laws," National Partnership for Women and Families, May 2022, <a href="https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-leave/state-paid-family-leave-laws.pdf">https://www.nationalpartnership.org/our-work/resources/economic-justice/paid-leave/state-paid-family-leave-laws.pdf</a>.
- <sup>24</sup> See Kansas, http://www.kslegislature.org/li/b2021 22/statute/044 000 0000 chapter/044 007 0000 article/.
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