

By: Turner of Tarrant

H.B. No. 2130

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the determination of whether work is suitable for an
3 individual for the purpose of determining the individual's
4 unemployment compensation benefit eligibility.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 207.008(b), Labor Code, is amended to
7 read as follows:

8 (b) Notwithstanding any other provision of this subtitle,
9 work is not suitable and benefits may not be denied under this
10 subtitle to an otherwise eligible individual for refusal to accept
11 new work if:

12 (1) the position offered is vacant directly because of
13 a strike, lockout, or other labor dispute;

14 (2) the wages, hours, or other conditions of the work
15 offered are substantially less favorable to the individual than
16 those prevailing for similar work in the locality; ~~or~~

17 (3) as a condition of being employed, the individual
18 is required to join a company union or to resign from or refrain
19 from joining a bona fide labor organization;

20 (4) the place of performance of the work offered is in
21 violation of federal, state, or local protocols relating to the
22 spread of infectious diseases, including COVID-19; or

23 (5) the work offered presents an unreasonable risk of
24 exposure to infectious diseases, including COVID-19, that cannot be

1 mitigated with reasonable care.

2 SECTION 2. The change in law made by this Act applies only
3 to a claim for unemployment compensation benefits filed with the
4 Texas Workforce Commission on or after the effective date of this
5 Act. A claim filed before the effective date of this Act is governed
6 by the law in effect on the date the claim was filed, and the former
7 law is continued in effect for that purpose.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2021.