By: Hernandez H.B. No. 1222

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for unemployment compensation for employees who leave the workplace due to sexual harassment.

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

SECTION 1. Section 207.046(a), Labor Code, is amended to read as follows:

(a) An individual is not disqualified for benefits under this subchapter if:

(1) the work-related reason for the individual's separation from employment was urgent, compelling, and necessary so as to make the separation involuntary;

(2) the individual leaves the workplace to protect the individual from family violence or stalking or the individual or a member of the individual's immediate family from violence related to a sexual assault as evidenced by:

(A) an active or recently issued protective order documenting sexual assault of the individual or a member of the individual's immediate family or family violence against, or the stalking of, the individual or the potential for family violence against, or the stalking of, the individual;

(B) a police record documenting sexual assault of the individual or a member of the individual's immediate family or family violence against, or the stalking of, the individual;

(C) a physician's statement or other medical

documentation that describes the sexual assault of the individual or a member of the individual's immediate family or family violence against the individual that:

(i) is recorded in any form or medium that identifies the individual or member of the individual's immediate family, as applicable, as the patient; and

(ii) relates to the history, diagnosis, treatment, or prognosis of the patient; or

(D) written documentation from a family violence center or rape crisis center that describes the sexual assault of the individual or a member of the individual's immediate family or family violence against the individual;

(3) the individual leaves the workplace to care for the individual's terminally ill spouse as evidenced by a physician's statement or other medical documentation, but only if no reasonable, alternative care was available; [~~or~~]

(4) the individual's separation from employment was caused by the individual being called to provide:

(A) service in the uniformed services, as defined by 38 U.S.C. Section 4303; or

(B) service in the Texas military forces, as defined by Section 437.001, Government Code; or

(5) the individual leaves the workplace because of sexual harassment, but only if the individual:

(A) reported the sexual harassment to:

(i) the individual's employer; or

(ii) a law enforcement agency; or

(B) filed a sexual harassment complaint with the commission under Chapter 21 or with the federal Equal Employment Opportunity Commission.

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

SECTION 3. This Act takes effect September 1, 2027.