

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/26/13 S4/1/13
A Bill

SENATE BILL 780

By: Senator Bledsoe

For An Act To Be Entitled

AN ACT TO CLARIFY THE PROCESS FOR DISQUALIFICATION FROM UNEMPLOYMENT BENEFITS AFTER DISCHARGE FOR MISCONDUCT; TO CLARIFY THE ACTIONS FOR WHICH THE PERIOD OF DISQUALIFICATION FROM RECEIPT OF BENEFITS WILL BE EXTENDED FOR AN EMPLOYEE DISCHARGED FOR MISCONDUCT; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THE PROCESS FOR DISQUALIFICATION FROM UNEMPLOYMENT BENEFITS AFTER DISCHARGE FOR MISCONDUCT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 11-10-514(a)(2)(A), concerning disqualification for unemployment benefits after discharge for misconduct, is amended to read as follows:

(2)(A) In all cases of discharge for absenteeism, the individual will be disqualified if the discharge was pursuant to the terms of a *bona fide* written attendance policy ~~with progressive warnings~~, regardless of *whether the policy is a fault or no-fault policy*.

SECTION 2. Arkansas Code § 11-10-514(a)(3)(C), concerning disqualification for unemployment benefits after discharge for misconduct, is amended to read as follows:

(C) *Misconduct includes:*

~~(i) violation~~ Violation of any behavioral policies



of the employer as distinguished from deficiencies in meeting production standards or accomplishing job duties; and

(ii) Without limitation:

(a) Disregard of an established bona fide written rule known to the employee; or

(b) A willful disregard of the employer's interest.

SECTION 3. Arkansas Code § 11-10-514(b)(1), concerning disqualification for unemployment benefits after discharge for misconduct, is amended to read as follows:

(b)(1) If he or she is discharged from his or her last work for misconduct in connection with the work on account of dishonesty, drinking on the job, reporting for work while under the influence of intoxicants, including a controlled substance, or willful violation of *bona fide written* rules or customs of the employer including those pertaining to his or her safety or the safety of fellow employees, persons, or company property, harassment, unprofessional conduct, or insubordination, he or she shall be disqualified until, subsequent to the date of the disqualification, the claimant has been paid wages in two (2) quarters for insured work totaling not less than thirty-five (35) times his or her weekly benefit amount.

/s/Bledsoe