

Act 95 of the Third Special Session of 1989.

Act 95

SB67

By: Senator Kinard

CALL ITEM

For An Act To Be Entitled
"AN ACT TO AMEND ARKANSAS CODE 11-10-514 TO PROVIDE THAT ANY
INDIVIDUAL DISCHARGED FROM WORK ON THE BASIS OF REPORTING
FOR WORK WHILE UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE
IS DISQUALIFIED FROM RECEIVING UNEMPLOYMENT INSURANCE
BENEFITS; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 11-10-514 is amended to read as follows:

"(a)(1) If so found by the director, an individual shall be disqualified for benefits if he is discharged from his last work for misconduct in connection with the work.

(2) In all cases of discharge for absenteeism, the individual's attendance record for the twelve-month period immediately preceding the discharge and the reasons for the absenteeism shall be taken into consideration for purposes of determining whether the absenteeism constitutes misconduct.

(b) Except as otherwise provided in this section, disqualification for misconduct shall be for eight (8) weeks of unemployment as defined in 11-10-512, except that, if he is discharged from his 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 wilful violation of the rules or customs of the employer pertaining to the safety of fellow employees or company property, he shall be disqualified from the date of filing his claim until he shall have ten (10) weeks of employment in each of which he shall have earned wages equal to at least his weekly benefit amount.

(c) If so found by the director, an individual shall be disqualified for benefits, if he is suspended from his last work for misconduct in connection

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: November 17, 1989
