

1 State of Arkansas *As Engrossed: S3/26/13 S4/1/13*

2 89th General Assembly

# A Bill

3 Regular Session, 2013

SENATE BILL 780

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5 By: Senator Bledsoe

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## For An Act To Be Entitled

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

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### Subtitle

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TO CLARIFY THE PROCESS FOR

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DISQUALIFICATION FROM UNEMPLOYMENT

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BENEFITS AFTER DISCHARGE FOR MISCONDUCT.

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

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

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

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

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(C) *Misconduct includes:*

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(i) violation *Violation of any behavioral policies*



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

3 (ii) Without limitation:

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

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

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

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

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23 /s/Bledsoe

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**APPROVED: 04/11/2013**

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