

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H2/2/11
A Bill

HOUSE BILL 1058

5 By: Representative D. Altes
6

7 **For An Act To Be Entitled**

8 AN ACT TO AMEND VARIOUS PROVISIONS OF THE DEPARTMENT
9 OF WORKFORCE SERVICES LAW CONCERNING UNEMPLOYMENT
10 BENEFITS; AND FOR OTHER PURPOSES.
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13 **Subtitle**

14 AN ACT TO AMEND VARIOUS PROVISIONS OF THE
15 DEPARTMENT OF WORKFORCE SERVICES LAW
16 CONCERNING UNEMPLOYMENT BENEFITS.
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code 11-10-201(c), concerning a claimant's base
22 period, is repealed.

23 (c)(1) Beginning with initial claims filed on July 1, 2009, and
24 thereafter, if an individual lacks sufficient base-period wages, an alternate
25 base period shall be substituted for the current base period.

26 (2) "Alternate base period" means the four (4) completed
27 calendar quarters immediately preceding the first day of that benefit year.
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29 *SECTION 2.* Arkansas Code § 11-10-503 is repealed.

30 11-10-503. Weekly benefits for partial unemployment.

31 (a) Any insured worker who is unemployed in any week as defined in §
32 11-10-214 and who meets the eligibility requirements of §§ 11-10-507 – 11-10-
33 511 shall be paid, with respect to the week, an amount equal to his or her
34 weekly benefit amount less that part of any earnings payable to him or her
35 with respect to the week that is in excess of forty percent (40%) of his or
36 her weekly benefit amount.



1 (b) The benefits, if not a multiple of one dollar (\$1.00), shall be
2 rounded to the next lower multiple of one dollar (\$1.00).

3
4 *SECTION 3.* Arkansas Code § 11-10-507(3)(A), concerning ability and
5 availability for work, is amended to read as follows:

6 (A) The worker is unemployed, is physically and mentally
7 able to perform suitable work, and is available for such work. Mere
8 registration and reporting at a local employment office shall not be
9 conclusive evidence of ability to work, availability for work, or willingness
10 to accept work unless the individual is doing those things which a reasonably
11 prudent individual would be expected to do to secure work. In determining
12 suitable work under this section and for refusing to apply for or accept
13 suitable work under § 11-10-515, part-time work shall be considered suitable
14 work unless the majority of weeks of work in the period used to determine
15 monetary eligibility is from full-time work.

16
17 *SECTION 4.* Arkansas Code § 11-10-513(b), concerning disqualification
18 for voluntarily leaving work, is amended to read as follows:

19 (b) No individual shall An individual shall not be disqualified under
20 this section if after making reasonable efforts to preserve his or her job
21 rights he or she left his or her last work:

22 (1) Due to a personal emergency of such nature and compelling
23 urgency that it would be contrary to good conscience to impose a
24 disqualification;

25 (2)(A) Because of illness, injury, pregnancy, or disability; or
26 of the individual or a member of the individual's immediate family.

27 (B) As used in subdivision (b)(2)(A) of this section,
28 "immediate family member" means a spouse, child, parent, brother, sister,
29 grandchild, or grandparent of the individual;

30 (3)(A) Due to domestic violence that causes the individual
31 reasonably to believe that the individual's continued employment will
32 jeopardize the safety of the individual or a member of the individual's
33 immediate family.

34 (B) As used in subdivision (b)(3)(A) of this section,
35 "immediate family member" means a spouse, child, parent, brother, sister,
36 grandchild, or grandparent of the individual; or

1 (4) To accompany the individual's spouse because of a change in
2 the location of the spouse's employment that makes it impractical to commute
3 To move with a military spouse to a new duty station.
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5 SECTION 5. Arkansas Code § 11-10-515(a)(1)(B), concerning the length
6 of disqualification from unemployment benefits for failure or refusal to
7 apply for or accept suitable work, is amended to read as follows:

8 (B) The disqualification under subdivision (a)(1)(A) of this section
9 shall be for eight (8) weeks of unemployment as defined in § 11-10-512
10 continue until, subsequent to filing a claim, the individual has had at least
11 thirty (30) days of employment covered by an unemployment compensation law of
12 this state, another state, or the United States and shall begin with the week
13 in which the failure to apply for or accept available suitable work occurred.
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15 /s/D. Altes
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