

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

A Bill

HOUSE BILL 1058

5 By: Representative D. Altes
6

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.
11

Subtitle

12
13
14 AN ACT TO AMEND VARIOUS PROVISIONS OF THE
15 DEPARTMENT OF WORKFORCE SERVICES LAW
16 CONCERNING UNEMPLOYMENT BENEFITS.
17

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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22 period, is repealed.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 § 11-10-502(a), concerning the weekly
30 unemployment benefit amount, is amended to read as follows:

31 (a) An insured worker's weekly benefit amount shall be an amount equal
32 to one-twenty-sixth (1/26) of his or her total wages for insured work paid
33 during the one (1) quarter of his or her base period in which the wages were
34 highest the average of his or her wages during the last four (4) quarters of
35 employment.
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1 SECTION 3. Arkansas Code § 11-10-502(c), concerning the calculation
2 for the weekly unemployment benefit amount, is amended to read as follows:

3 (c)(1) No weekly benefit amount shall be greater than sixty-six and
4 two-thirds percent (66²/₃%) fifty-five percent (55%) of the state average
5 weekly wage for insured employment for the previous calendar year for benefit
6 years beginning after June 30, 1985.

7 (2) However, for benefit years beginning July 1, 2003, through
8 June 30, 2005, the maximum weekly benefit amount shall not exceed three
9 hundred forty-five dollars (\$345).

10
11 SECTION 4. Arkansas Code § 11-10-503 is repealed.

12 11-10-503. Weekly benefits for partial unemployment.

13 (a) Any insured worker who is unemployed in any week as defined in §
14 11-10-214 and who meets the eligibility requirements of §§ 11-10-507 – 11-10-
15 511 shall be paid, with respect to the week, an amount equal to his or her
16 weekly benefit amount less that part of any earnings payable to him or her
17 with respect to the week that is in excess of forty percent (40%) of his or
18 her weekly benefit amount.

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

21
22 SECTION 5. Arkansas Code § 11-10-507(3)(A), concerning ability and
23 availability for work, is amended to read as follows:

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

34
35 SECTION 6. Arkansas Code § 11-10-513(b), concerning disqualification
36 for voluntarily leaving work, is amended to read as follows:

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

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

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

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

12 (3)(A) Due to domestic violence that causes the individual
 13 reasonably to believe that the individual's continued employment will
 14 jeopardize the safety of the individual or a member of the individual's
 15 immediate family.

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

19 (4) To accompany the individual's spouse because of a change in
 20 the location of the spouse's employment that makes it impractical to commute
 21 To move with a military spouse to a new duty station.

22
 23 SECTION 7. Arkansas Code § 11-10-515(a)(1)(B), concerning the length
 24 of disqualification from unemployment benefits for failure or refusal to
 25 apply for or accept suitable work, is amended to read as follows:

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