

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

# A Bill

HOUSE BILL 1249

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

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14 AN ACT TO AMEND VARIOUS PROVISIONS OF THE  
15 DEPARTMENT OF WORKFORCE SERVICES LAW  
16 CONCERNING UNEMPLOYMENT BENEFITS.  
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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22 period, is repealed.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.~~  
28

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.  
36



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 (66 2/3%)~~ 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 Arkansas Code § 11-10-503 is repealed.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.