

HB 475 -- Employees

Co-Sponsors: Yates, Hunter, Schneider, Goodman, Bearden, Jetton, Byrd, Smith (118)

This bill makes several changes to the law concerning employees. The bill:

- (1) Requires the Division of Employment Security to cross-check unemployment compensation recipients against the federal new hire database monthly;
- (2) Exempts unemployment insurance claimants from the "seeking work" requirement if they are participating in a state-approved drug or alcohol treatment program;
- (3) Defines "misconduct" in connection with work as including acts of wanton or willful disregard of the employer's interest, deliberate violation of rules, disregard of standards of behavior, excessive negligence, and a positive test on a professionally administered chemical test for controlled substances and alcohol in excess of .08%. The employer must have a written policy on drugs and alcohol;
- (4) Requires that if a deputy of the division determines that an unemployment insurance claimant has been discharged due to misconduct in connection with work that the claimant be disqualified from waiting week credit and benefits. Current law allows deputies of the division to consider the seriousness of the misconduct in each case and disqualify claimants for not less than four and not more than 16 weeks;
- (5) Requires the division to recalculate the contribution rate of a newly acquired business on the first day of the next calendar quarter after acquisition instead of on the date of acquisition; and
- (6) Prohibits the disclosure of confidential information related to employment security. Unlawful disclosure is a class D felony.