

HB6273



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB6273

by Rep. Brian W. Stewart

SYNOPSIS AS INTRODUCED:

820 ILCS 405/602

from Ch. 48, par. 432

Amends the Unemployment Insurance Act. Provides that an individual who has been suspended for misconduct connected with his or her work shall be ineligible for benefits. Effective immediately.

LRB098 21523 JLS 60095 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Unemployment Insurance Act is amended by
5 changing Section 602 as follows:

6 (820 ILCS 405/602) (from Ch. 48, par. 432)

7 Sec. 602. Discharge for misconduct - Felony. A. An
8 individual shall be ineligible for benefits for the week in
9 which he has been discharged for misconduct connected with his
10 work and, thereafter, until he has become reemployed and has
11 had earnings equal to or in excess of his current weekly
12 benefit amount in each of four calendar weeks which are either
13 for services in employment, or have been or will be reported
14 pursuant to the provisions of the Federal Insurance
15 Contributions Act by each employing unit for which such
16 services are performed and which submits a statement certifying
17 to that fact. The requalification requirements of the preceding
18 sentence shall be deemed to have been satisfied, as of the date
19 of reinstatement, if, subsequent to his discharge by an
20 employing unit for misconduct connected with his work, such
21 individual is reinstated by such employing unit. For purposes
22 of this subsection, the term "misconduct" means the deliberate
23 and willful violation of a reasonable rule or policy of the

1 employing unit, governing the individual's behavior in
2 performance of his work, provided such violation has harmed the
3 employing unit or other employees or has been repeated by the
4 individual despite a warning or other explicit instruction from
5 the employing unit.

6 A-5. An individual shall be ineligible for benefits for the
7 week in which he or she has been suspended for misconduct
8 connected with his or her work and thereafter until he or she
9 has been reinstated.

10 B. Notwithstanding any other provision of this Act, no
11 benefit rights shall accrue to any individual based upon wages
12 from any employer for service rendered prior to the day upon
13 which such individual was discharged because of the commission
14 of a felony in connection with his work, or because of theft in
15 connection with his work, for which the employer was in no way
16 responsible; provided, that the employer notified the Director
17 of such possible ineligibility within the time limits specified
18 by regulations of the Director, and that the individual has
19 admitted his commission of the felony or theft to a
20 representative of the Director, or has signed a written
21 admission of such act and such written admission has been
22 presented to a representative of the Director, or such act has
23 resulted in a conviction or order of supervision by a court of
24 competent jurisdiction; and provided further, that if by reason
25 of such act, he is in legal custody, held on bail or is a
26 fugitive from justice, the determination of his benefit rights

1 shall be held in abeyance pending the result of any legal
2 proceedings arising therefrom.

3 (Source: P.A. 85-956.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.