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SENATE BILL 5198

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State of Washington

57th Legislature

2001 Regular Session

By Senators B. Sheldon, Winsley, Prentice, Gardner, Thibaudeau, Oke, T. Sheldon, Regala, Haugen, Rasmussen, Kohl-Welles, Fraser, Costa, Jacobsen and Franklin

Read first time 01/15/2001. Referred to Committee on Labor, Commerce & Financial Institutions.

1 AN ACT Relating to the denial of unemployment insurance benefits  
2 due to criminal acts of the employee; and amending RCW 50.04.293 and  
3 50.20.060.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 50.04.293 and 1993 c 483 s 1 are each amended to read  
6 as follows:

7 "Misconduct" means an employee's act or failure to act in willful  
8 disregard of his or her employer's interest where the effect of the  
9 employee's act or failure to act is to harm the employer's business.  
10 Any criminal act conducted by the employee at or involving the  
11 employer's business is an act in willful disregard of the employer's  
12 interest.

13 **Sec. 2.** RCW 50.20.060 and 2000 c 2 s 13 are each amended to read  
14 as follows:

15 An individual shall be disqualified from benefits beginning with  
16 the first day of the calendar week in which he or she has been  
17 discharged or suspended for misconduct connected with his or her work  
18 and thereafter for seven calendar weeks and until he or she has

1 obtained bona fide work in employment covered by this title and earned  
2 wages in that employment equal to seven times his or her weekly benefit  
3 amount. However, when the employer has a reasonable, good faith belief  
4 that the individual's misconduct constituted a criminal act at or  
5 involving the employer's business, the individual may not requalify for  
6 benefits under this section for one calendar year from the first day of  
7 the calendar week in which he or she has been discharged or suspended  
8 for misconduct connected with his or her work. Alcoholism shall not  
9 constitute a defense to disqualification from benefits due to  
10 misconduct.

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