

1 AN ACT concerning unemployment.

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
10 his work and, thereafter, until he has become reemployed and
11 has had earnings equal to or in excess of his current weekly
12 benefit amount in each of four calendar weeks which are
13 either for services in employment, or have been or will be
14 reported 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
17 certifying to that fact. The requalification requirements of
18 the preceding sentence shall be deemed to have been
19 satisfied, as of the date of reinstatement, if, subsequent to
20 his discharge by an employing unit for misconduct connected
21 with his work, such individual is reinstated by such
22 employing unit. For purposes of this subsection, the term
23 "misconduct" means:

24 (1) the deliberate and willful violation of a
25 reasonable rule or policy of the employing unit,
26 governing the individual's behavior in performance of his
27 work, provided such violation has harmed the employing
28 unit or other employees or has been repeated by the
29 individual despite a warning or other explicit
30 instruction from the employing unit;

31 (2) violation of a written workplace policy, rule,

1 or instruction where the policy, rule, or instruction
2 provides for discharge and the employee is provided
3 advance notice of the written policy, rule, or
4 instruction; or

5 (3) failure to discharge the duties for which an
6 employee was employed, including negligence or
7 carelessness, provided that the employing unit provides
8 evidence of progressive discipline to correct the
9 employee's performance.

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

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