



ADOPTED

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 828*

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

Page 1 of 2

S828-ARB-92 [v.2]

Comm. Sub. [YES]
Amends Title [NO]
Fourth Edition

Date 6-19, 2012

Representative Ross

1 moves to amend the bill on page 3, line 37 through page 4, line 31, by rewriting the lines to
2 read:

3 "Misconduct connected with the work is defined as conduct evincing a
4 willful or wanton disregard of the employer's interest as is found in
5 deliberate violations or disregard of standards of behavior which the
6 employer has the right to expect of an employee or has explained orally or in
7 writing to an employee or conduct evincing carelessness or negligence of
8 such degree or recurrence as to manifest an intentional and substantial
9 disregard of the employer's interests or of the employee's duties and
10 obligations to the employer. intentional acts or omissions evincing disregard
11 of an employer's interest or standards of behavior which the employer has a
12 right to expect or has explained orally or in writing to an employee or
13 evincing carelessness or negligence of such degree as to manifest equal
14 disregard. The following examples are prima facie evidence of misconduct,
15 which may be rebutted by the claimant:

16 "Discharge for misconduct with the work" as used in this section is
17 defined to include but not be limited

- 18 a. separation initiated by an employer for violating Violating the
19 employer's written alcohol or illegal drug policy; reporting policy.
- 20 b. Reporting to work significantly impaired by alcohol or illegal drugs;
21 consuming drugs.
- 22 c. Consuming alcohol or illegal drugs on employer's premises;
23 conviction premises.
- 24 d. Conviction by a court of competent jurisdiction for manufacturing,
25 selling, or distribution of a controlled substance punishable under
26 G.S. 90-95(a)(1) or G.S. 90-95(a)(2) while in the employ of said
27 employer; being if the offense is related to or connected with an
28 employee's work for an employer or is in violation of a reasonable
29 work rule or policy.
- 30 e. Being terminated or suspended from employment after arrest or
31 conviction for an offense involving violence, sex crimes, or illegal
32 drugs; any drugs if the offense is related to or connected with an



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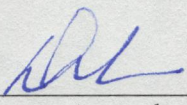
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- 1 employee's work for an employer or is in violation of a reasonable
- 2 work rule or policy.
- 3 f. Any physical violence whatsoever related to an employee's work for
- 4 an employer, including, but not limited to, physical including
- 5 physical violence directed at supervisors, subordinates, coworkers,
- 6 vendors, customers, or the general public; inappropriate public.
- 7 g. Inappropriate comments or behavior towards supervisors,
- 8 subordinates, coworkers, vendors, customers, or to the general public
- 9 relating to any federally protected characteristic which creates a
- 10 hostile work environment; theft environment.
- 11 h. Theft in connection with the employment; forging employment.
- 12 i. Forging or falsifying any document or data related to employment,
- 13 including a previously submitted application for employment;
- 14 violation employment.
- 15 j. Violating of an employer's written absenteeism policy;
- 16 refusing policy.
- 17 k. Refusing to perform reasonably assigned work tasks or failing to
- 18 adequately perform employment duties as evidenced by no fewer
- 19 than three written reprimands in the 12 months immediately
- 20 preceding the employee's termination. This";
- 21

22 And on page 7, line 18, by deleting the word "fund" and substituting the phrase
23 "Unemployment Insurance Fund".

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 113-051 FAILED _____ Tabled _____

Senie Weeks
JUN 19 2012

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