
HOUSE BILL 1749

State of Washington 54th Legislature 1995 Regular Session

By Representatives Clements, Lisk, Blanton, Chandler, Lambert,
Honeyford, Sheldon, Horn, Skinner, Hargrove, Fuhrman, Stevens,
Radcliff, Huff, Schoesler and Backlund

Read first time 02/07/95. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to defining misconduct for unemployment insurance
2 purposes; and amending RCW 50.04.293.

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

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

6 (1) "Misconduct" means an employee's ((act or failure to act in
7 willful disregard of his or her employer's interest where the effect of
8 the employee's act or failure to act is to harm the employer's
9 business)) on-the-job conduct, whether an act or a failure to act,
10 that:

11 (a) In fact violates a written rule of his or her employer and the
12 rule is reasonable under the circumstances of the employment;

13 (b) Is connected with the employee's work; and

14 (c) Is intentional or grossly negligent, or is continued after
15 documented notice or warning, and is not a result of incompetence,
16 inefficiency, erroneous judgment, or ordinary negligence.

17 (2) In the case of an employee's off-the-job conduct, "misconduct"
18 is conduct, whether an act or a failure to act, that:

1 (a) Meets the requirements of subsection (1)(a) and (b) of this
2 section;
3 (b) Results in some harm to the employer's interest; and
4 (c) Was done with intent or knowledge that the employer's interest
5 would suffer.

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