

Conference Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 237

HOUSE BILL 2115

AN ACT

AMENDING SECTION 23-621, ARIZONA REVISED STATUTES; RELATING TO EMPLOYMENT SECURITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 23-621, Arizona Revised Statutes, is amended to
3 read:

4 23-621. Unemployed; definition

5 A. An individual shall be deemed "unemployed" with respect to any week
6 during which the individual performs no services and with respect to which no
7 wages are payable to the individual, or with respect to any week of less than
8 full-time work without any fault on the individual's part if the wages
9 payable to the individual with respect to the week are less than the
10 individual's weekly benefit amount.

11 B. An individual shall not be deemed "unemployed" with respect to any
12 week of less than full-time work if the loss of full-time work is directly
13 attributable to the fault of the individual.

14 C. An individual shall not be deemed "unemployed" if the individual is
15 receiving wages in lieu of notice, ~~dismissal pay~~ or severance pay. The
16 period of time for which wages in lieu of notice, ~~dismissal pay~~ or severance
17 pay are allocable shall be determined by either of the following:

18 1. If there was a written contract between the employer and the
19 claimant in effect at the time of separation, allocate to the appropriate
20 period in accordance with the contract, continuing for the number of work
21 days that the pay would cover at the regular wage OR SALARY rate.

22 2. If no written contract was in effect at the time of separation,
23 allocate to the appropriate period following the last day of performance of
24 services, continuing for the number of work days that the pay would cover at
25 the regular wage OR SALARY rate.

26 D. FOR THE PURPOSES OF THIS SECTION, "SEVERANCE PAY" INCLUDES ALL
27 AMOUNTS THAT AN EMPLOYER PAYS TO AN EMPLOYEE DUE TO THE EMPLOYEE'S
28 RESIGNATION, TERMINATION OR PARTICIPATION IN AN EXIT INCENTIVE PROGRAM OR
29 INCLUSION IN A REDUCTION IN FORCE OR IN CONSIDERATION FOR THE EMPLOYEE'S
30 RELEASE OF ACTUAL OR POTENTIAL CLAIMS FOR THE TERMINATION OF EMPLOYMENT.
31 SEVERANCE PAY DOES NOT INCLUDE ANY AMOUNTS THAT THE EMPLOYER PAYS FOR HEALTH
32 BENEFITS OR PURSUANT TO ANY EMPLOYEE BENEFIT PLAN.

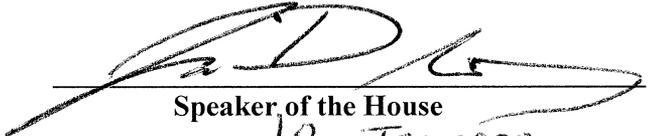
APPROVED BY THE GOVERNOR APRIL 25, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2014.

Passed the House March 4, 20 14

by the following vote: 35 Ayes,

21 Nays, 4 Not Voting



Speaker of the House

Pro Tempore

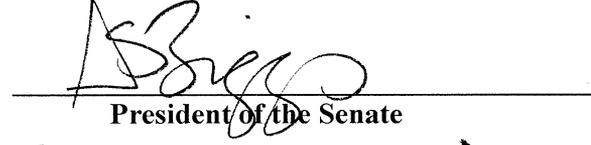


Chief Clerk of the House

Passed the Senate April 15, 20 14

by the following vote: 18 Ayes,

10 Nays, 2 Not Voting



President of the Senate



Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2115

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House April 21, 2014

by the following vote: 35 Ayes,

20 Nays, 5 Not Voting



Speaker of the House



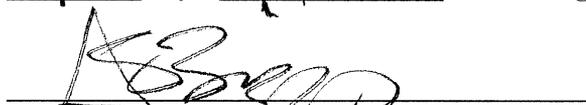
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

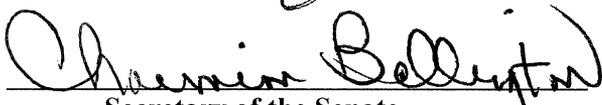
Passed the Senate April 22, 2014

by the following vote: 19 Ayes,

9 Nays, 2 Not Voting



President of the Senate



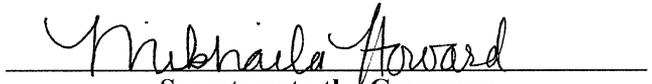
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

24 day of April, 2014

at 9:40 o'clock A M.



Secretary to the Governor

Approved this 25th day of

April

at 10:37 o'clock A - M.



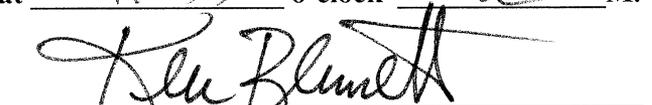
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 25th day of April, 2014

at 11:53 o'clock a M.



Secretary of State