

**Department of Planning and Budget**  
**2005 Fiscal Impact Statement**

**1. Bill Number** HB2371

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron** Bryant

**3. Committee** H. Commerce and Labor

**4. Title** Unemployment compensation; misconduct; chronic absenteeism.

**5. Summary/Purpose:** This bill outlines the parameters for chronic absenteeism to be regarded as misconduct, which may result in disqualification for unemployment compensation benefits. Chronic absenteeism as misconduct includes chronic absenteeism or tardiness in deliberate violation of a known policy of the employer, or one or more unapproved absences following a written reprimand or warning related to more than one approved absence. The bill also states the Virginia Employment Commission may consider evidence of mitigating circumstances in determining whether misconduct occurred.

**6. No Fiscal Impact:** According to the Virginia Employment Commission (VEC), this bill has no fiscal impact. The VEC currently interprets the misconduct statute to include repeated absences without notice to the employer and adequate justification. This bill merely adds language to further define the currently applied interpretation.

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** See Item 6.

**9. Specific agency or political subdivisions affected:** Virginia Employment Commission.

**10. Technical amendment necessary:** No.

**11. Other comments:** The engrossed version of this bill redefines chronic absenteeism as it relates to misconduct, stating that chronic absenteeism or tardiness in deliberate violation of a known policy of the employer qualifies as misconduct. The engrossed version also adds language stating that the Virginia Employment Commission may consider evidence of mitigating circumstances in determining whether misconduct occurred.

**Date:** 01/26/05 / dma

**Document:** G:\Ga Sessions\2005 Session\2005 Fis\Hb2371e.Doc

cc: Secretary of Commerce and Trade