

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: S3/18/13 H3/27/13

# A Bill

SENATE BILL 857

5 By: Senator A. Clark  
6 By: Representative Cozart  
7

## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE DUTY OF THE DEPARTMENT OF  
10 WORKFORCE SERVICES TO ENFORCE THE LAW REGARDING  
11 INELIGIBILITY FOR EXTENDED UNEMPLOYMENT BENEFITS FOR  
12 FAILURE TO ACCEPT OR SEEK SUITABLE WORK; TO REQUIRE  
13 QUARTERLY REPORTS TO THE LEGISLATIVE COUNCIL  
14 CONCERNING ENFORCEMENT EFFORTS CONCERNING  
15 INELIGIBILITY FOR EXTENDED UNEMPLOYMENT BENEFITS FOR  
16 FAILURE TO ACCEPT OR SEEK SUITABLE WORK; AND FOR  
17 OTHER PURPOSES.

## Subtitle

21 TO CLARIFY THE DUTY OF THE DEPARTMENT OF  
22 WORKFORCE SERVICES REGARDING UNEMPLOYMENT  
23 INELIGIBILITY FOR FAILURE TO ACCEPT OR  
24 SEEK SUITABLE WORK; AND TO REQUIRE  
25 QUARTERLY REPORTS TO THE LEGISLATIVE  
26 COUNCIL.

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29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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31 SECTION 1. Arkansas Code § 11-10-543, concerning ineligibility for  
32 extended unemployment benefits for failure to accept or seek suitable work,  
33 is amended to add additional subsections to read as follows:

34 (i) The Department of Workforce Services shall enforce this section.

35 (j) The director shall make quarterly reports to the Legislative  
36 Council on the department's efforts to enforce this section, including



1 without limitation:

2 (1) The number of cases of benefit recipients accused of not  
3 accepting valid job offers;

4 (2) The disposition of cases reported under subdivision (j)(1)  
5 of this section; and

6 (3) The policies and steps the department is taking to eliminate  
7 and reduce refusals to accept valid job offers.

8 (k)(1) The department shall facilitate electronic reporting of a  
9 benefit recipient who refuses to take an offered job either through outright  
10 refusal, failing a drug test, or other means.

11 (2) The department may facilitate electronic reporting under  
12 subdivision (k)(1) of this section by an easy to understand and use website  
13 created for the purpose or created for another purpose that facilitates easy  
14 reporting by potential employers and others.

15 (1)(1) The department shall notify periodically an employer regarding  
16 the method for reporting a benefit recipient who fails to take a job either  
17 through outright refusal, failing a drug test, or other means.

18 (2) The department may notify an employer at least two times (2)  
19 per year regarding the method for reporting under subdivision (1)(1) of this  
20 section by electronic means that are economically feasible and may be a part  
21 of another communication to the employer.

22 (m)(1) An employer that provides a report with the belief that it is  
23 true of a failure to take a job, whether by outright refusal, failure to show  
24 up for work or interview, failing a drug test, or other means is not liable  
25 for the reporting.

26 (2) This section provides a complete defense for an employer in  
27 a civil proceeding arising from an employer's actions under this section.

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29 /s/A. Clark  
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