

	FIRST	REGULAR SES	SION
	ONE HUNDRED A	ND ELEVENTH	LEGISLATURE
Legislative	e Document		No. 44
S.P. 158			In Senate, February 1, 198
Referre ordered pri		on Labor, sent d	lown for concurrence and
		JOY J. O'B	RIEN, Secretary of the Senat
	by Senator Usher of nsor: Representative		Millinocket.
	ST	ATE OF MAINE	2
		YEAR OF OUR NDRED AND EI	
	N ACT to Provi Referrals in t		
Be it er follows:		People of th	e State of Maine as
26 M	MRSA §1193, su	b-§3, ¶C is	enacted to read:
tuni	accept a refer	ral to a s	ualified for refusal suitable job oppor- to by a local employ- cal-direction:
	(1) Has bee ing;	n made to th	e claimant in writ-
		and the bas	finding that the jok is upon which it has ; and

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1	(3) Inc	ludes	a	writter	n stater	nent	of ·	the
2	potentia	al pe	nalt	y for	failure	to	report	to
3	the job	refer	ral.					

STATEMENT OF FACT

5 A person can be disqualified from unemployment 6 benefits for refusing a suitable job or failing to 7 accept a referral to a suitable job when directed to 8 do so by a local employment office. The Supreme 9 Judicial Court has ruled that the Department of Labor 10 must determine that a job is suitable before direct-11 ing a claimant to it. It further ruled that the 12 claimant must be advised of the consequences of 13 refusing to follow the referral.

Referrals are now made orally to claimants with 14 15 no explanation of the basis upon which the job has 16 been found suitable. Claimants are not adequately 17 advised of the consequences of failure to follow the 18 Sometimes local employment offices refer referral. 19 claimants to jobs that are not suitable simply as 20 suggestions. Failure to follow one of these 21 referrals cannot cause disqualification.

22 The present situation causes a great deal of confusion among claimants and creates difficult problems 23 24 of proof at administration hearings. This bill reme-25 dies that confusion by requiring that all referrals jobs which the department has determined suitable 26 to 27 be in writing, state the basis for suitability and 28 the penalty for failure to follow the referral.

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