

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 492

6  
7 H.P. 409

House of Representatives, February 1, 1983

8 Received by the Clerk of the House on February 1, 1983. Referred to the  
9 Committee on Labor, and ordered printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Connolly of Portland.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Clarify the Criteria for Suitable  
18 Work in the Unemployment Compensation Program.  
19

20 Be it enacted by the People of the State of Maine as  
21 follows:

22 26 MRSA §1193, sub-§3, ¶A, as amended by PL 1979,  
23 c. 651, §46, is further amended to read:

24 A. In determining whether or not any work is  
25 suitable for an individual during the first 12  
26 consecutive weeks of unemployment, the deputy  
27 shall consider the degree of risk involved to his  
28 health, safety and morals, his physical fitness  
29 and prior training, his experience and prior  
30 earnings wages, his length of unemployment and  
31 prospects for securing local work in his custom-  
32 ary occupation, and the distance of the available  
33 work from his residence.

1 In determining whether or not work is suitable  
2 for an individual after the first 12 consecutive  
3 weeks of unemployment, the deputy shall consider  
4 the degree of risk involved to his health, safety  
5 and morals, his physical fitness, his prior ~~earn-~~  
6 ~~ings~~ wages, his length of unemployment and pros-  
7 pects for securing local work in his customary  
8 occupation and the distance of the available work  
9 from his residence. The individual's prior earn-  
10 ings shall not be considered with respect to an  
11 offer of or referral to an otherwise suitable job  
12 which pays wages equal to or exceeding the aver-  
13 age weekly wage in the State of Maine.

14 STATEMENT OF FACT

15 The purpose of the unemployment compensation pro-  
16 gram is to provide benefits to unemployed workers  
17 until they are able to find substantially equivalent  
18 employment. Therefore, claimants will not be dis-  
19 qualified for refusing work which is not suitable,  
20 considering, among other factors, their prior "earn-  
21 ings." The use of the word "earnings" does not allow  
22 consideration of fringe benefits in determining  
23 whether a particular job is suitable. Yet it is  
24 increasingly true that fringe benefits such as health  
25 and pension benefits are as important, if not more  
26 so, than additional dollars.

27 The term "wages" is used elsewhere in employment  
28 security law and does include all remuneration for  
29 work, whether or not paid in cash. This would  
30 include the value of pensions, health insurance and  
31 the like.

32 This bill substitutes the term "wages" for "earn-  
33 ings" so as to broaden the scope of the suitability  
34 determination.

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