

# GETTING KANSANS BACK TO WORK: EMPLOYER GUIDANCE FOR HANDLING JOB REFUSALS

The U.S. Department of Labor (DOL) has released updated resources for employers, workers and states as businesses begin to reopen across the nation.

The DOL emphasized it will take the cooperation of employers, employees and state agencies to prevent unemployment fraud. Claimants should be educated on state requirements that failure to accept suitable work offers may lead to denial of unemployment benefits.

The **Kansas Department of Labor (KDOL)** states an individual is not eligible for unemployment benefits if they fail to accept suitable work without good cause if a **valid, bona fide offer** (must include acknowledgement from the claimant/job seeker) of work is made. Beginning May 13, 2021, KDOL is required by law (House Bill 2196) to investigate all reported job refusals **within 10 days**. The following considerations will be investigated:

- **Suitability:**

- Skills
- Training
- Experience
- Capabilities needed for the job

- **Labor Market Conditions:**

- Prospects for work
- Number of jobs available in their occupations or skills area, etc.
- Job/working conditions

### **KDOL will investigate all reported job refusals**

- if the job is determined to be suitable, KDOL will also investigate if they had good cause for refusing work;
  - availability issues such as illness, hospitalization, lack of childcare or transportation, etc. will disqualify an individual;
- if the job is determined to be suitable and the individual failed to accept the work without good cause, they may be disqualified for benefits.

No action can be taken and the claimant may continue to receive benefits if a refusal is not reported.

**Kansas employers can report ALL job refusals with this form:**



[bit.ly/KSjobrefusal](https://bit.ly/KSjobrefusal)

KANSAS DEPARTMENT OF LABOR <a href="http://www.dol.ks.gov">www.dol.ks.gov</a> <b>JOB REFUSAL – EMPLOYER</b> K-BEN 3119 (Rev. 2-21)		<b>REPORT FRAUD</b> <a href="http://www.ReportFraud.ks.gov">www.ReportFraud.ks.gov</a>
		MAIL: Unemployment Contact Center P.O. Box 3539 Topeka, KS 66601-3539 FAX: (785) 296-3249 UPLOAD: <a href="https://UIAssistance.GetKansasBenefits.gov">https://UIAssistance.GetKansasBenefits.gov</a>
Claimant Name: _____		Social Security no: XXX-XX-____
<b>Failure to complete and return this form within ten days may result in an improper payment of benefits to the claimant and corresponding charges to your employer experience rating account.</b>		
Have you offered a job to the above- identified claimant? <input type="checkbox"/> YES <input type="checkbox"/> NO		