

## § 65.22. Applicable rules.

(a) With respect to offers of suitable work made by an employer, the following rules apply:

(1) A work offer may be considered as suitable irrespective of whether the work is in employment as defined in sections 4 and 402(a) of the law (43 P. S. § § 753 and 802(a)).

(2) The employer shall give notice of the offer to the UC Office at which the employee has filed or may file an application for benefits.

(3) The offer to the employee may be in writing in which case a carbon copy or an exact duplicate shall be furnished to the UC Office within 7 working days after the mailing of the offer. If the employer's offer is not made in writing, as, for example, where it is made by telephone, the employer shall provide the UC Office with a detailed written description of the offer within 7 working days after the making thereof. Regardless of the manner in which the offer is communicated to the employer, shall include in the offer all of the following:

- (i) The rate of pay and unit of work or period of time which the rate represents.
- (ii) The scheduled working hours during each day of the week.
- (iii) The location of the work.
- (iv) A description of the duties or a generally recognized term covering the duties.
- (v) Any unusual requirement or condition of work.

(b) When the employer who makes the offer has employed the employee after the beginning of the employee's base year and, in the offer of employment to the employee, states that the conditions of the job are substantially the same as those under which the employee last worked for the employer, the requirements enumerated in subsection (a) are not required to be included.

(c) If the job offered the employee is covered under a labor-management agreement and a statement to this effect is made in the offer of employment, no further description is required.

(d) Before issuing a decision on a claim for benefits, the Department will determine on the basis of facts whether the work offer was suitable within the meaning of section 4(t) of the law (43 P. S. § 753(t)).

### Source

The provisions of this § 65.22 adopted July 1, 1969; amended December 20, 1974, effective December 21, 1974, 4 Pa.B. 2567; amended February 11, 2011, effective February 12, 2011, applies to an offer of work made on or after February 12, 2011, 41 Pa.b. 848. Immediately preceding text appears at serial pages (259497) to (259498).

### Notes of Decisions

#### *Work Offer*

It is error to grant compensation to an applicant merely because an employer did not properly notify the Bureau of the failure of an employe to accept a work assignment. *MacDonald v. Unemployment Compensation Board of Review*, 333 A.2d 199 (Pa. Cmwlth. 1975).

After the Board determines that an offer of suitable employment was refused, it is without authority, absent a showing of prejudice, to grant compensation merely because the form of the notice of an offer of work by a claimant's prior employer was defective. *General Motors Corp. v. Unemployment Compensation Board of Review*, 322 A.2d 762 (Pa. Cmwlth. 1974).



## EMPLOYER QUESTIONNAIRE REFUSAL SUITABLE WORK

**Submit the completed form, along with any additional documentation, within seven (7) days of the refusal of a job offer or referral. (All fields marked in red must be completed prior to submission.)**

Claimant's Name: \_\_\_\_\_ Social Security No.: XXX-XX-\_\_\_\_\_  
 Employer's Name: \_\_\_\_\_ UC Acct No.: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_  
 Employer's Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_  
 Temporary Staffing Agency? Yes  No  Fax Number: \_\_\_\_\_

**In order for the department to determine the claimant's eligibility for unemployment compensation and to protect your employer account, please answer the following questions:**

1. Did the claimant refuse to accept a referral to employment? Yes  No

**If Yes:**

- (a) In what manner was the referral made? \_\_\_\_\_
- (b) Who made the referral? \_\_\_\_\_
- (c) Please explain the type of employment to which the claimant was referred.

2. Did you offer the claimant a specific job that the claimant refused? Yes  No

**If Yes:**

- (a) Has the claimant ever worked for you? Yes  No
- (b) On what date was the job offer made? \_\_\_\_\_
- (c) How was the job offer made? \_\_\_\_\_
- (d) Who made the job offer? \_\_\_\_\_

3. What reason did the claimant give for refusing the job offer or referral to employment?

4. What were the duties of the job that was offered/referred?

- (a) What was the job's rate of pay? \_\_\_\_\_ per \_\_\_\_\_ Temporary  Permanent
- (b) What were the scheduled working hours? \_\_\_\_\_ Full time  Part time
- (c) Where was the job located? \_\_\_\_\_
- (d) Please describe any unusual requirements or conditions of work
- (e) When was the job scheduled to start? \_\_\_\_\_
- (f) If the job was temporary, when was it scheduled to end? \_\_\_\_\_

**I certify that all information I have provided is true and correct.**

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**RESET      SAVE AS      PRINT      SUBMIT**

*Auxiliary aids and services are available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program*