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STATE INSTRUCTION NUMBER 14-11

To: DEW Area Directors
DEW Regional Managers
Local Workforce Area Administrators

Subject: Legislative Changes to the Definition of Suitable Work

Issuance Date: June 24, 2015

Effective Date: June 26, 2015

Purpose: To outline changes to the definition of suitable work based on wage.

Background: In order to receive Unemployment Insurance (UI) benefits, a claimant must be able, available, and actively seeking suitable employment in which he or she is qualified. South Carolina Regulation § 47-23 has been amended to provide a specific definition of suitable work as it relates to the wage demand of a claimant. This change is effective June 26, 2015.

Policy: To be in compliance with Regulation § 47-23, a claimant must be willing to look for and accept employment that pays at least 90% of the wage earned (hourly, weekly, yearly) from their most recent bona fide employer. Once a claimant has been paid eight weeks of unemployment, suitable work is defined as employment which pays 75% of the wage earned during the most recent bona fide employment for any subsequent weeks. The suitable work wage cannot be reduced below the minimum wage. Claimants are required to accept suitable work referrals and offers in order to continue receiving UI benefits. If it is determined a claimant has refused a suitable work referral or job offer, s/he will be disqualified from benefits until returning to work and earning eight times the UI weekly benefit amount.

Procedure: Claimants whose wage demand exceeds the suitable work amount must be advised of the potential for denial of benefits and given the opportunity to adjust their minimum acceptable wage. Claimants who refuse to lower their wage demand, or who have refused an otherwise suitable referral or offer of work **solely** because of an excessive wage demand, must be reported to UI staff as follows:

1. Enter a case note in SCWOS detailing the following information:
 - Specifics of the job referred or offered including:
 - Employer name
 - Job title
 - Job duties
 - Rate of pay offered
 - Full-time, part-time, or temporary work status

- Hours of work offered
 - Distance to the job
 - Previous qualifying experience and/or training
 - Equipment/licenses required to perform the job
- Specifics of the prevailing job including:
- Job title
 - Job duties
 - Rate of pay
 - Customary hours of work
 - Distance to the job
 - Required experience and/or training
 - Equipment/licenses required to perform the job.
2. Send the case note electronically in SCWOS to the DEW Regional Manager or local office designee with access to the Workforce Information Portal (WIP).
 3. The Regional Manager or local office designee will enter the Refusal of Referral or Refused Job Offer code in the WIP. This could result in the claimant's UI benefits being stopped.

Action: Please ensure that all appropriate staff receive and understand this policy.

Inquiries: Questions may be directed to Grey Parks at Bparks@dew.sc.gov or (803) 737-0086.


Patricia Sherlock, Director
Policies and Procedures