

### **341.100 Suitable work.**

- (1) In determining for any purpose under this chapter whether or not any work is suitable for a worker the secretary shall consider, among other pertinent conditions, the degree of risk involved to his or her health, safety and morals; his or her physical fitness and prior training; his or her experience and prior earnings; his or her length of unemployment and prospects for securing local work in his or her customary occupation; and the distance of the available work from his or her residence. The secretary shall consider any employment offer to be suitable work:
  - (a) That is offered to a worker who has received at least six (6) weeks of benefits during his or her present period of unemployment;
  - (b) For which the worker will be paid one hundred twenty percent (120%) of his or her weekly benefit amount;
  - (c) That is located within a distance of thirty (30) miles of the worker's residence, or is work that can be completed remotely on a permanent basis; and
  - (d) That the worker is able and qualified to perform, regardless of whether or not he or she has related experience or training.
- (2) For the purpose of this chapter, no work shall be suitable nor shall benefits be denied under this chapter to any otherwise eligible worker for refusing to accept new work or new conditions of work under one (1) or more of the following:
  - (a) If the position offered is vacant due directly to a strike, lock-out or other labor dispute;
  - (b) If the wages, hours, or other conditions of the work offered are substantially less favorable than those prevailing for similar work in the locality;
  - (c) If, as a condition of being employed, the worker would be required to join a company union or to resign from or refrain from joining any bona fide labor organization; and
  - (d) If the acceptance of such work would be prejudicial to the continuance of an established employer-employee relationship to which the worker is a party.

**Effective:** July 1, 2023

**History:** Amended 2023 Ky. Acts ch. 80, sec. 4, effective July 1, 2023. -- Amended 2022 Ky. Acts ch. 21, sec. 2, effective January 1, 2023. -- Amended 1978 Ky. Acts ch. 389, sec. 12, effective July 1, 1978. --Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(21). -- Amended 1950 Ky. Acts ch. 206, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4748g-3.

**Legislative Research Commission Note** (1/1/2023). 2022 Ky. Acts ch. 21, sec. 26, provides that the Act, which amended this statute, may be cited as the Unemployment Insurance Sustainability Act of 2022.