

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: S3/18/13 H3/27/13  
**A Bill**

SENATE BILL 857

By: Senator A. Clark  
By: Representative Cozart

### For An Act To Be Entitled

AN ACT TO CLARIFY THE DUTY OF THE DEPARTMENT OF  
WORKFORCE SERVICES TO ENFORCE THE LAW REGARDING  
INELIGIBILITY FOR EXTENDED UNEMPLOYMENT BENEFITS FOR  
FAILURE TO ACCEPT OR SEEK SUITABLE WORK; TO REQUIRE  
QUARTERLY REPORTS TO THE LEGISLATIVE COUNCIL  
CONCERNING ENFORCEMENT EFFORTS CONCERNING  
INELIGIBILITY FOR EXTENDED UNEMPLOYMENT BENEFITS FOR  
FAILURE TO ACCEPT OR SEEK SUITABLE WORK; AND FOR  
OTHER PURPOSES.

### Subtitle

TO CLARIFY THE DUTY OF THE DEPARTMENT OF  
WORKFORCE SERVICES REGARDING UNEMPLOYMENT  
INELIGIBILITY FOR FAILURE TO ACCEPT OR  
SEEK SUITABLE WORK; AND TO REQUIRE  
QUARTERLY REPORTS TO THE LEGISLATIVE  
COUNCIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 11-10-543, concerning ineligibility for extended unemployment benefits for failure to accept or seek suitable work, is amended to add additional subsections to read as follows:

(i) The Department of Workforce Services shall enforce this section.

(j) The director shall make quarterly reports to the Legislative Council on the department's efforts to enforce this section, including



without limitation:

(1) The number of cases of benefit recipients accused of not accepting valid job offers;

(2) The disposition of cases reported under subdivision (j)(1) of this section; and

(3) The policies and steps the department is taking to eliminate and reduce refusals to accept valid job offers.

(k)(1) The department shall facilitate electronic reporting of a benefit recipient who refuses to take an offered job either through outright refusal, failing a drug test, or other means.

(2) The department may facilitate electronic reporting under subdivision (k)(1) of this section by an easy to understand and use website created for the purpose or created for another purpose that facilitates easy reporting by potential employers and others.

(1)(1) The department shall notify periodically an employer regarding the method for reporting a benefit recipient who fails to take a job either through outright refusal, failing a drug test, or other means.

(2) The department may notify an employer at least two times (2) per year regarding the method for reporting under subdivision (1)(1) of this section by electronic means that are economically feasible and may be a part of another communication to the employer.

(m)(1) An employer that provides a report with the belief that it is true of a failure to take a job, whether by outright refusal, failure to show up for work or interview, failing a drug test, or other means is not liable for the reporting.

(2) This section provides a complete defense for an employer in a civil proceeding arising from an employer's actions under this section.

/s/A. Clark

**APPROVED: 04/10/2013**